

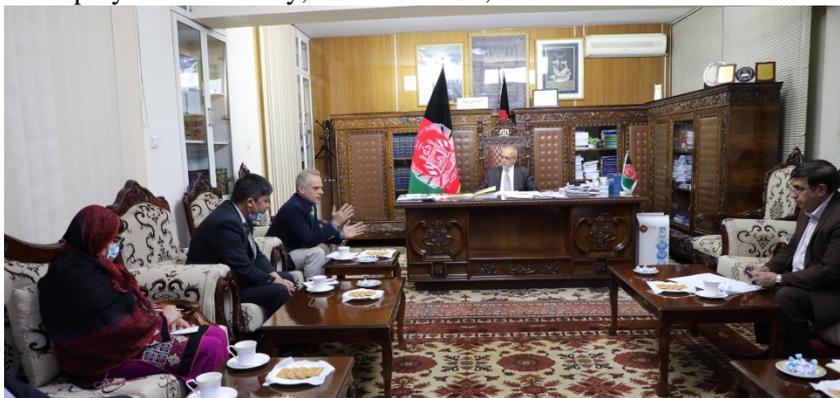
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Meetings and Sessions

The Chief Justice of the Supreme Court Meets with the Chief of Party and Deputy Chief of Party of Adalat Project

H.E. Sayed Yousuf “Halim”, Chief Justice of the Supreme Court, met with Mr. Eric Putzig, the Adalat Project Chief of Party, and Folantina, its Deputy Chief of Party, on October 24, 2020.



First, the Adalat Project Chief of Party expressed his gratitude for the meeting and talked about the cooperation of Adalat Project with the judiciary in the areas of judicial training, strengthening court administration, establishing databases, and financial and technical assistance in establishing the Law Review Committee. He promised their continued assistance and expressed their readiness to support the Supreme Court in the fight against COVID-19 by providing the required tools, equipment, and medications.

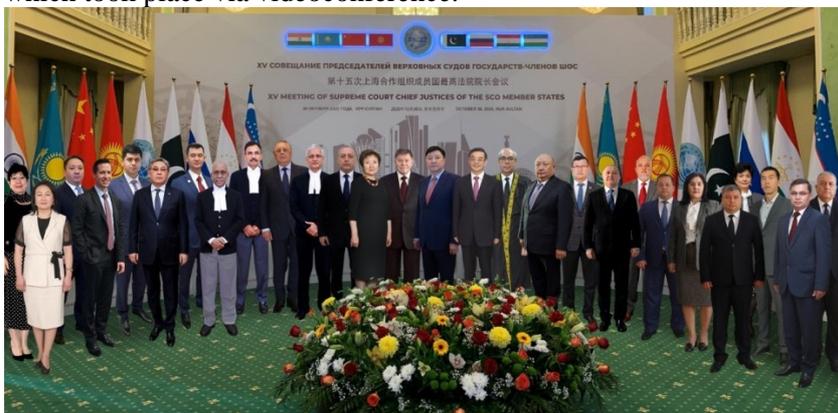
Then, the Chief Justice appreciated the Adalat Project’s assistance in the above-mentioned areas in coordination with the judiciary departments, and added that the Supreme Court is grateful for the support and cooperation of national and international organizations, including Adalat Project, in implementing the priority programs of the Supreme Court and for their financial and technical assistance in the

fight against COVID-19, thus the General Administrative Directorate of the Judiciary was instructed to prepare the COVID-19 medical supplies and equipment needs list in coordination with the Adalat Project and submit it to them.

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

The Chief Justice of the Supreme Court Attends 15th Meeting of Supreme Court Chief Justices of the SCO Member States

H.E. Sayed Yousuf Halim, Chief Justice of the Supreme Court, upon an official invitation, participated in the 15th Meeting of Supreme Court Chief Justices of the Shanghai Cooperation Organization Member States, in which Afghanistan is an observer, on October 30, 2020 which took place via videoconference.



In this conference, which was inaugurated by the speech of Zhakip Asanov, Chief Justice of Kazakhstan's Supreme Court in Nur-Sultan city, the chief justices of Kazakhstan, India, China, Kyrgyzstan, Pakistan, Russia, Tajikistan, Uzbekistan, and other judges and jurists discussed the role of courts in promoting fundamental values, focusing on human duties and human rights developments, the new stage of judicial system development, the mechanism for developing trade dispute settlement between SCO member states, reducing corruption in the judicial system, innovating new legal stages, common laws, measures stated in the Penal Code and their implementation, liability for crimes related to immigration, handling the cases related to deprivation of inheritance, the primary courts of judicial and legal reform, passing the administrative law, strengthening common security, and ensuring justice in the fight against human trafficking. The conference was concluded with closing remarks by the Chief Justice of Kazakhstan's Supreme Court after the exchange of views of the participants and the approval of a joint statement.

The High Council of the Supreme Court Sessions Report

The High Council of the Supreme Court held its regular sessions on September 29, October 6, 13 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:



- ❖ The Oversight Committee on the 31st round of Judicial Training Course's Oral Examination which was assigned to deal with the participants' complaints, presented their report to the High Council of the Supreme Court. According to the report, in the course of ten days, 138 complaints were dealt with in the presence of the complainers, examiners and observers, by watching the recorded videos of the examination. The committee reported its findings to the High Council of the Supreme Court.
- ❖ Pursuant to the Judicial Training Regulation and the Procedure on Admission to the Judicial Training Course, the admission of 318 participants to the 31st round of Judicial Training Course was approved from which 300 of them scored highest and 18 of them were qualified after dealing with their complaints by the Oversight Committee. Thus, the General Administrative Directorate of the Judiciary was directed to make the necessary

- preparations in order to start the lessons of this round.
- ❖ In order to effectively fight against corruption, the High Council of the Supreme Court adopted a resolution that thereafter, the courts and prosecution offices cannot release the corruption suspects on bail or without it by referring to article 105 of the Criminal Procedure Code.
 - ❖ In accordance with article 6 of the Law on Organization and Jurisdiction of the Judiciary, in order to ensure people's access to justice, it was stated that everyone can file a lawsuit in a court indiscriminately. Bringing cases and controversies before the courts is a voluntary act and the courts are obliged to deal with them in accordance with applicable laws.
 - ❖ The curriculum of the 31st round of Judicial Training Course was reviewed in compliance with contemporary scientific and practical necessities and after the necessary remarks were made, its implementation was instructed to the Judicial Training Directorate. Likewise, the Formal Attire of Judges Regulation was also approved after necessary amendments.
 - ❖ With regard to the instruction-demand of the Anti-Corruption Appellate Court about dealing with the Kabul Bank case, it was instructed that pursuant to the provisions of the Anti-Corruption Law, the cases which are related to the Kabul Bank crisis must be dealt with by the Special Court of Kabul Bank as it is functional and active.
 - ❖ The High Council of the Supreme Court also approved the new composition of the Special Court of Kabul Bank (the head and members of the judicial party) due to the recent appointments and to avoid any further postponement of the cases.
 - ❖ Based on the Judicial Inspection General Directorate's report, in which the corruption case of Shwak District Judge of Paktia Province was considered to deserve trial, the statement of the suspect was heard in compliance with paragraph 3, article 91 of the Law on Organization and Jurisdiction of the Judiciary, and then, for further investigation on the case, the interim suspension of the judge was approved and the Secretariat of
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the High Council of the Supreme Court was instructed to suggest his deposition to the President's Office.

- ❖ The bribery case of a former judge of Parwan Province's Surkhpay District Primary Court and the misuse of authority case of another judge were reviewed and disciplinary procedures were initiated against them in accordance with the Judicial Misconduct Regulation and the Law on Organization and Jurisdiction of the Judiciary.
- ❖ The corruption case of one of the former judges of Parwan Appellate Court which deserved trial was reviewed and after hearing the statement of the suspect, in order to investigate further on the case, his interim suspension was approved pursuant to paragraph 3, article 91 of the Law on Organization and Jurisdiction of the Judiciary and it was instructed that his deposition must be suggested to the President's Office.
- ❖ Certain disciplinary procedures were initiated against four judges of Samangan, Baghlan, and Farah Provinces after identifying their misconduct, in accordance with the Judicial Misconduct Regulation.
- ❖ In the presence of Deputy Minister of Justice, relevant prosecutors, representatives of the clients and the parties of the cases brought before the Supreme Court, two requests from the Government Cases General Directorate regarding usurpation of public land and two applications for revision, including person v. state and person v. person, were reviewed and pursuant to article 482 of the Civil Procedure Code, necessary decisions were adopted regarding each case.
- ❖ In the presence of the Judicial Prosecution Deputy Attorney General, relevant prosecutors, relations and defense attorneys of the accused, 12 applications for revision in kidnapping, armed robbery, murder, embezzlement, misuse of authority, drug smuggling and bribery cases were reviewed in accordance with article 282 of the Criminal Procedure Code and necessary decisions were adopted regarding each case.
- ❖ At the request of the General Attorney's Office, 17 motions for

change of revenue in criminal cases were approved and the authority to try 212 criminal cases was delegated to the Appellate Courts of Kabul, Kandahar, Badakhshan, Helmand, Takhar, Jawzjan, Paktika, Samangan, Balkh, Ghazni, Ghor, Khost, Zabul, Kapisa, Nimroz, Laghman, Faryab and Kunduz Provinces.

- ❖ Based on the request of the Attorney General's Office and Bagram Appellate Court, four motions for change of revenue in criminal cases were approved and 27 suggestions of the Judicial Ranks' Promotion Commission were also approved by the High Council of the Supreme Court.

The Administrative Session of the Supreme Court Decisions

The administrative session of the Supreme Court was held on October 5, 2020 presided over by Justice Jawed Rashidi, the Acting General Administrative Director of the Judiciary, with the participation of the central directors, Judicial Training Directorate's representative and Correspondence Director of Kabul Appellate Court. According to the agenda, the following decisions were made:



1. Regarding the suggestion of the Human Resources General Directorate about implementing the promotion of the Supreme Court's security forces' whose financial and intellectual rights are to be preserved pursuant to the presidential decree, it was decided that the Human Resources General Directorate should suggest the issue to the Chief Justice's Office.
2. Concerning the Human Resources General Directorate's instruction-demand about the certificates of three staff members of Panjshir Appellate Court who have completed their bachelor's and master's degrees after hours in Kabul, the decision was made that it must be dealt with in accordance with the recent approval of the High Council of the Supreme Court.
3. Based on the suggestion of the Human Resources General Directorate regarding the age gap of Sayed Ahmad s/o Noor Ahmad, judicial member of Juvenile Primary Court of Kabul Province,

between his official records and national ID card, it was instructed that in accordance with the Law on Government Employees, the age mentioned in the employee's official records will be preferred.

4. Regarding the suggestion of the Chief of Staff about estimating the fuel consumption of the High Council of the Supreme Court members' vehicles, the decision was made that the fuel will be provided in kilometers thereafter, and the extraordinary needs of some of the vehicles due to the long routes should be satisfied by separate suggestions to the Chief Justice Office.

5. With regard to the Correspondence Directorate of Kabul Appellate Court's proposals not being implemented by the General Directorate of Finance and Administration in the areas of installing water tanks in all four judicial zones, digging deep wells, purchasing water pumps for all four judicial zones, purchasing an air conditioner for Kabul Appellate Court, preparing and equipping the courtrooms of all four judicial zones, repairing or renovating the ironclad roof of the Kabul Appellate Court's single-floor building, purchasing two retaining walls for all four judicial zones, sealing and blocking the retaining walls' drain pipes, draining the septic tanks, building five iron gates, purchasing electrical equipment for all four judicial zones' scanning machines, repairing the kitchen pipes, installing electricity pylon for judicial zones in order to provide the courts with independent electricity, procuring and purchasing kitchen utensils, estimating the Appellate Court's toilets, purchasing handcart tires and tubes, fire extinguisher with its special pipe, and three chairs for the Appellate Court's main hall, repairing the air conditioners, and providing all four judicial zones with an excavator for retaining walls:

The administrative session decided that:

D) For the time being, in accordance with the agreement between the Supreme Court and National Radio and Television of Afghanistan, the Publications Directorate should suggest the issue of equipping public hearing halls in the primary courts of all four judicial zones to the Chief Justice's Office, so that after H.E. Chief Justice's approval, practical measures could be taken. The Policy

Planning and Foreign Relations Directorates were instructed to share the issue of equipping other courtrooms with organizations and donors, and the General Directorate of Finance and Administration was directed to follow up on the above-mentioned issue with the Ministry of Urban Development and Land.

II) The ironclad problem of Kabul Appellate Court's single-floor building must be dealt with as soon as possible, and the General Directorate of Finance and Administration should take action to repair it before the winter.

III) The General Directorate of Finance and Administration promised to implement all the remaining proposals in the course of two weeks and present its report to the General Administrative Directorate of the Judiciary.

6. At the request of the Gender Subdirector, the General Directorate of Finance and Administration was directed to solve the shortage of office space of the Gender Subdirector, if possible, and take necessary actions in setting up the IT Directorate office space.

7. According to the Judicial Training Directorate's proposals concerning the problems related to ironclad roofing of its building, ceiling leaks, basement water infiltration, overhauling the generator, shrinkage of the building, levelling and greening up the lawn, procuring and providing furniture and satisfying all the needs in order to begin the 31st round of the judicial training course, the General Directorate of Finance and Administration was directed to professionally and technically address all the problems and take necessary measures accordingly by prioritizing them with regard to the advent of winter and the possibility of conducting judicial training course, and report the results to the General Administrative Directorate of the Judiciary. It was also instructed that deep wells must be drilled in the appropriate areas.

8. Concerning the construction work of Imran Jamal Construction Company which was responsible for repairing the buildings of Bagrami Primary Court and Deeds Department of Kabul's third judicial zone, but hasn't performed its duties properly; furthermore, the audit report isn't clear enough and the money isn't paid, it was

decided in the administrative session that the General Directorate of Finance and Administration should propose the issue to the Chief Justice's Office for guidance.

The Basics of Planning Training Program Was Conducted for the Civil Servants of Balkh Appellate Court

As part of the training programs of the Capacity Building and Performance Evaluation Directorate, the training program under the title of the basics of planning was held on September 30-31, 2020, with the financial support of the JSSP, in which ten civil servants of Balkh Appellate Court participated. The training program was focused on the basic 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 in planning, essential elements in a plan, planning cycle, monitoring and evaluation.

At the end, the training program was considered very important and constructive by participants and they expressed their gratitude to the Capacity Building and Performance Evaluation Directorate for conducting such programs. The program concluded with the distribution of certificates to the participants.

The Training Program on Budget and Accounting Was Conducted for the Civil Servants of Kabul, Nimroz and Farah Appellate Courts

As part of the training programs of the Capacity Building and Performance Evaluation Directorate, the training program on budget and accounting was held from September 27 till October 1, 2020 in Park Star Hotel in Kabul, with the financial support of Adalat Project, in which 15 finance and correspondence staff members of the revenue department of Kabul, Nimroz and Farah Appellate Courts.

The program consisted of five parts: budget, accounting (salary), monitoring the revenue collection, procurement and stock management.

The evaluation of the training program indicated that all participants showed great enthusiasm in the program by considering it effective, and suggested that the training programs on budget, accounting, procurement and monitoring the revenue collection should be conducted in the provinces too.

At the end, the program was considered important and constructive by participants and they expressed their gratitude to the Capacity Building and Performance Evaluation Directorate for conducting such programs. The program concluded with the distribution of certificates to the participants.

The Training Program on Organizational Planning Was Conducted for the Senior Staff of the Supreme Court's Policy Planning Directorate

As part of the training programs of the Capacity Building and Performance Evaluation Directorate, the training program on organizational planning was held on October 18-19, 2020, with the financial support of Adalat Project, in which 20 senior staff members of the Supreme Court's Policy Planning Directorate participated.

The program was focused on the basic principles of planning, planning goals, history of planning, importance of planning, planning constraints, ways to reduce planning constraints, attributes of a good plan, general opinions on planning, benefits of planning, principles of planning, strategic planning, vision, mission, difference between strategic and operational planning, stages of planning, internal and external analysis, analysis models: SWOT, PEST, McKinsey and Fishbone, indicator, monitoring, and evaluation, which was carried out by Mr. Hamed Baha "Ayar", the Capacity Building and Performance Evaluation Director.

At the end, the program was considered important and constructive by participants and it was concluded with the distribution of certificates.

News and Events

- Justice Siddiqullah Haqiq, the former Head of Maidan Wardak Appellate Court who was recently appointed as the Head of Parwan Appellate Court, bade farewell to the Governor of Maidan Wardak, the Head of Provincial Council, the Prosecutor of the Province, and all other officials in a formal reception on September 21, 2020. All the reception participants commended him for his efforts and wished him success in his new job. Later, Mr. Haqiq considered appointments and conversions as a general principle and expressed his gratitude for the support and cooperation of all the officials of the court and justice organizations. At the end, he was presented with the certificates of commendation by the Governor's Office, Provincial Council and Prosecution Office for his efforts and endeavors.
- On September 24, 2020, Justice Mohammad Sharif Fani, the Head of Herat Appellate Court met with Ghulam Mohammad Rahmani, the Head of Justice Department of the province and other officials in his office.
First, the head of Justice Department welcomed the new Head of the Appellate Court and expressed his gratitude to the judges and staff members of the Appellate Court for their usual cooperation. He stated that the purpose of the meeting was to provide better coordination between the justice and judicial organizations and to address people's problems.
- On September 27, 2020, a number of lawyers congratulated the Head of Nangarhar Appellate Court on his appointment in a special reception, in which Mufti Mohammad Wazir, the Head of Nangarhar Appellate Court, considered the presence of lawyers much important in a society, as they pave the way for fair trial and ensuring justice. The Head of Nangarhar Appellate Court asked the lawyers and attorneys who attended

the reception for their cooperation in the fight against corruption. He also assured the lawyers of his lawful and reasonable support.

- On October 5, 2020, Justice Mohammad Ajmal Arabzai, the Head of Badghis Appellate Court met with Abdul Raqib Forogh, the Prison Warden (Manager of the Prisons Administration of the Province) and Sayed Habibullah Sadat, Deputy Manger for Security, in his office.

In this meeting, the Prison Warden congratulated the Head of the Court on his appointment and talked about the usual cooperation between the Prisons Administration and the Court.

- On October 6, 2020, Justice Fahimullah Niazi, the Head of Khost Appellate Court, met with the Mayor of the Province in the presence of Justice Rafiullah, the Criminal Division Head of the Appellate Court in his office.

In this meeting, the Mayor congratulated the Head of the Court on his appointment and promised to cooperate in all areas. Then the Head of the Court welcomed the Mayor and stated that court is the place where law is enforced and justice is ensured, adding that he will cooperate with all relevant agencies within the provisions of the law.

- On October 3, 2020, Justice Mohammad Ajmal Arabzai, the Head of Badghis Appellate Court, met with a group of scholars, influential people and elders of Qala-e-Naw city in his office.

First, Mawlawi Ali Mohammad Naseh spoke and congratulated the Head of the Court on behalf of the guests on his appointment and assured him of their support. Then, the Head of the Court expressed his gratitude and appreciation to the elders and their nice opinions about the goals of the Supreme Court pertaining reforms in the judiciary and gaining people's trust. He added that the doors of courts are open to all the citizens, and all the problems will be heard and dealt with in order to ensure justice. He also stated that the courts are responsible to pave the way for people's access to fair trial, and they have to abide by the Sharia Law and statutory laws.

He then assured that he will spare no effort to fight against corruption, lawlessness and injustice.

- On September 30, 2020, Justice Ziaulhaq Zia, the former Head of Nangarhar Provincial Court who was recently appointed as the Head of Herat Urban Court by the Supreme Court's suggestion and the President's approval, was introduced to his colleagues by Justice Mohammad Sharif Fani, the Head of Herat Appellate Court in the presence of the Deputy Head of Appellate Court, Judges and the Division Heads of the Appellate and Urban Courts.
- On September 22, 2020, Justice Wajehuddin Azizi, the newly appointed Head of Nimroz Appellate Court was introduced in the presence of Acting Governor, Directors and Officials of governmental agencies, elders, influential people, judicial and administrative personnel in the Appellate Court Compound.
- On October 7, 2020, Justice Mohammad Ajmal Arabzai, the Head of Badghis Appellate Court met with Ziauddin Akazai, Member of Parliament, Wares Khan and Saleh Mohammad Khan, the District Governors of Muqur and Bala Murghab, in his office.

In this meeting, all the guests congratulated the Head of the Court on his appointment and wished him success in his duties. Then the Head of the Court welcomed the guests and talked about the importance of cooperation and coordination between justice and judicial agencies and asked their assistance to implement the law, ensure justice and fight against corruption.

- On October 18, 2020, Justice Sayed Abdul Qayum Kamali, the Head of Badakhshan Appellate Court met with Ahmad Jawad Forogh, the Head of National Radio and Television of that province in his office.

First, the Head of the Court talked about starting to run a judicial education program twice a month for the purpose of informing the public about court proceedings, and implementing the agreement between the Supreme Court and National Radio and Television of Afghanistan about broadcasting open trials, proceedings and verdicts of the

courts. Then, the Head of National Radio and Television visited the courtroom of the Appellate Court and promised to take the necessary measures accordingly.

- On October 18, 2020, Justice Samargul Omari, the Head of Kandahar Appellate Court met with Abdul Aziz Azizi, the Southwest Regional Advisor of JSSP, in his office.

The Southwest Advisor of JSSP who had his first meeting with the Head of Kandahar Appellate Court, congratulated him on his appointment and wished him success in his duties. The Head of Kandahar Appellate Court also welcomed Mr. Azizi and expressed his gratitude to the Southwest Regional Advisor of JSSP for his cooperation and support in case registration process of the Case Management System.

- On October 3, 2020, Justice Mohammad Ajmal “Arabzai”, the Head of Badghis Appellate Court met with the Head of the Appellate Prosecution Office and some prosecutors in his office.

In this meeting, first the Head of the Appellate Prosecution Office congratulated the Head of the Court on his appointment and emphasized on the importance of cooperation between justice and judicial agencies. Then, the Head of the Court praised the role of the prosecutors in discovering the hidden aspects of cases which results in establishing the truth and abolishing falsehood in the society. He also stressed on the importance of cooperation between justice and judicial agencies, as the prosecutors play a major role in implementing fair trial standards and ensuring justice.

- On October 18, 2020, Justice Ahmad Sayeed Ashrafi, the Head of Laghman Appellate Court met with the Commander of the First Infantry Brigade and the Police Chief of the province.

In this meeting, the security of courts and judges was discussed and the commanders promised to take more serious measures in this regard.

Fight Against Corruption

Judicial Performance Report of the Anti-Corruption Primary Court

1. Report

The Anti-Corruption Primary Court heard a total of 35 criminal cases related to corruption from September 22, 2020 to October 21, 2020. A total of 75 people were arrested on charges of abuse of authority, bribery, embezzlement, forgery, treachery and unlawful possession of firearms, from which 16 of them were acquitted due to the lack of sufficient evidence and 59 of them were tried and have received the following prison sentences:

- One month to one year of imprisonment: 26 persons;
- One year to five years of imprisonment: 14 persons;
- Five years to fifteen years of imprisonment: 1 person;
- Cash fine: 14 persons.

The total amount of fine is \$46907.



Chart Number (1) Shows the Number of Offenders Convicted by the Anti-Corruption Primary Court from September 22, 2020 to October 21, 2020

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	1-5 years imprisonment	5 - 15 years imprisonment	Convicted of cash fine	Cash penalty
1	Abuse of Authority	12	24	4	20	7	2		11	9934
2	Bribery	12	22	2	20	8	7		5	34766
3	Embezzlement	4	7		7	4	1	1		
4	Forgery	4	18	9	9	5	3		1	909
5	Treachery	1	1	1						
6	Unlawful Possession of Firearms	1	3		3	1	1		1	1298
Total		35	75	16	59	26	14	1	18	46907

Furthermore, the court has issued rulings on 5 cases and has sent them to the relevant authority in order to rectify the defects in investigation.

Chart Number (2) Shows the Judicial Rulings Issued by the Anti-Corruption Primary Court from August 22, 2020, to September 21, 2020

No	Type of case	Number of cases	Number of the accused	Reason for ruling	Relevant Authority
				Legal gaps and Defects	
1	Abuse of authority	2	7	2	Prosecutor's Office
2	Embezzlement	2	2	2	Prosecutor's Office
3	Bribery	1	1	1	Prosecutor's Office
Total		5	10	5	

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

Verdict Dated October 5, 2020

Conviction of Maidan Wardak Rural Development Director on Charges of Bribery

A construction company has filed a complaint with the Anti-Corruption Directorate that after winning one of the tender contracts for Maidan Wardak Police Maintenance valued 27 million AFS, the contract was closed by the Administrative Office of the President and later, according to the presidents order, based on the opinions of Maidan Wardak rural development board, the contract was approved but the Rural Development officials has asked 1.5 million AFS in order to approve 27 million AFS for the contract, otherwise they would reduce it to 8 million AFS. After the complaint, the Anti-Corruption Directorate of the Ministry of Interior Affairs takes measures to arrest the Rural Development Director of Maidan Wardak in the crime scene, which eventually takes place inside a car in front of a hotel located in Karte Mamoorin. During the frisking, the marked bills of one million AFS was found and the accused was arrested and the case was submitted to the Kabul Anti-Corruption Primary Court. In the court hearing dated October 5, 2020, in the presence of both parties, the Rural Development Director of Maidan Wardak was unanimously sentenced to ten years and one month of imprisonment including the detention period, cash fine of the equivalent amount of bribe, and dismissal from duty on charges of bribery pursuant to article 371, paragraph 1(6), article 375, paragraph 1, article 385, paragraph 1 and considering articles 211 and 214 of the Penal Code. The Rural Development Director of Maidan Wardak was also charged with the unlawful possession of firearms for which he was sentenced to a fine of 35,000 AFS and confiscation of the firearm in accordance with articles 536 and 545 of the Penal Code. As there is no single purpose to tie both crimes together, based on article 75 of the Penal Code, both punishments are applicable on the convict.

Verdict Dated October 7, 2020

Conviction of the Cashier of the Ministry of Defense's Doctrine Directorate on Charges of Embezzlement

A board was assigned by the Internal Audit Directorate of the General Inspection Office of Ministry of Defense to review the financial affairs of the doctrine and cultural directorate of the Ministry from 2019 to 2020. After the review, the cashier had 3120873 AFS in his custody from which the documents of 1228578 AFS were incomplete and no documents were provided for 1892295 AFS. The Inspection Board considered it as embezzlement and the case was submitted to the Kabul Anti-Corruption Primary Court. In the court hearing dated October 7, 2020, in the presence of both parties, the cashier of the Ministry of Defense's Doctrine and Cultural Directorate was unanimously sentenced to seven years and six months of imprisonment including the detention period, restitution of the embezzled amount and dismissal from duty on charges of embezzlement, pursuant to article 393, paragraph 4, article 391, article 398, paragraphs 1 and 2 and considering articles 211, 213 and 214 of the Penal Code.

•Verdict Summary Samples Issued by the Special Anti-Corruption Primary Court

Verdict Dated October 5, 2020

Conviction of the Central Stock Staff Members and Ministry of Public Health Employee on Charges of Bribery

The Speed Hologram Company has filed a complaint claiming that it has signed a contract with the ministry of public health to provide 300000 protective clothing for Covid-19 for 381 AFS per item, after the approval of the President and National Procurement Authority. According to the contract, 30 percent of the contract money had to be paid by the Ministry of Public Health to the contract company before the goods were delivered, but the Ministry of Public Health officials did not comply with the contract and did not pay any money to the company. Based on the contract, 300000 protective clothes pursuant to

the contract specifications, were handed over to the Ministry of Public Health by the company's representative from the date of the contract until 11/6/2020, and a receipt was obtained from the central stock staff members of the Ministry of Public Health. One of the employees of the ministry of public health, in exchange for paying the contract money, demanded \$300000 from the company's representative, then, he asked for \$100000 and finally agreed on \$80000, from which \$30000 must be paid when paperwork is done and the remaining \$50000 must be paid after withdrawal of the contract money. According to the Attorney General's Office order based on the petition, a board of the representatives of the National Security Directorate and Kabul Police Chief was appointed. The board provided the complainant with \$29000 after marking the bills to pay the employee of the Ministry of Public Health. The receipt report was prepared by the Report Management but was kept without a stamp by the report manager to solicit bribe. After a while, by the directive of the acting head of Central Stock, the receipt report is submitted to the Ministry of Public Health employee without a stamp to solicit bribe by submitting the receipt report to the company representative. When the ministry employee goes to the company, he calls his office for stamp and one of employees of the mentioned company goes to Central Stock Directorate to stamp the documents and after stamp he returns to the company. The ministry employee is arrested after leaving the company and \$29000 which was marked previously, is found while frisking him. The case is then submitted to the Anti-Corruption Primary Court. In the court hearing dated October 5, 2020, in the presence of both parties, the Acting Subdirector of the Central Stock is unanimously sentenced to ten years and one month of imprisonment and dismissal from duty on charges of bribery pursuant to article 371 paragraph 6, article 375 paragraph 2 and considering article 75 of the Penal Code and the Ministry of Public Health Employee is sentenced to three years of imprisonment including the detention period and dismissal from duty on charges of mediation in bribery according to article 372 paragraph 6, article 373, article 375 paragraph 2 and considering article 213 paragraph 2 subparagraphs 7 and 8 and article 214 paragraph 4 of the Penal Code and article 237 of the Criminal Procedure Code. The court also sentenced the employee of the Ministry of Public Health, the Acting Subdirector and Receipt Report Manager of the Central Stock to a collective fine of \$300000

which is the equivalent amount of bribe in accordance with article 385 paragraph 1 of the Penal Code and considering article 68 paragraph 2 of the Penal Code and also confiscation of a cellphone pursuant to article 182 of the Penal Code. Three others who were accused of mediating in bribery were acquitted due to the lack of sufficient evidence according to article 235 of the Criminal Procedure Code.

Judicial Performance Report of the Anti-Corruption Appellate Court

1. Report

The Anti-Corruption Appellate Court heard a total of 17 criminal cases related to corruption from September 22, 2020, to October 21, 2020. A total of 28 persons have been arrested on the charges of abuse of authority, bribery, forgery, and unlawful acquisition of firearms from which three of them were acquitted due to the lack of sufficient evidence and 25 of them were tried and sentenced as below:

- One year to five years of imprisonment: 9 persons;
- Five years to fifteen years of imprisonment: 1 person;
- Fine penalty: 15 persons.

The total amount of fine is \$16758.

Chart Number (3) Shows the Kabul Anti-Corruption Appellate Court Performance from September 22, 2020, to October 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	Abuse of authority	9	15	2	13		3		10	\$7012	
2	Forgery	3	8	1	7		4		3	\$454	
3	Bribery	4	4		4		2	1	1	\$8892	
4	Unlawful acquisition of firearms	1	1		1				1	\$400	
Total		17	28	3	25		9	1	15	\$16758	

Furthermore, the court has issued rulings on 5 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 Anti-Corruption Appellate Court from September 22, 2020, to October 21, 2020

No	Type of case	Number of cases	Number of the accused	Reason for ruling	Relevant Authority
				Legal gaps and Defects	
1	Abuse of authority	3	18	3	Prosecutor's Office
2	Bribery	2	2	2	Prosecutor's Office
Total		5	20	5	

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

Verdict Dated October 19, 2020

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

One of the residents of Kohmard district of Bamyan Province filed a petition with the Prosecution Office for Control and Surveillance, stating that the investigating prosecutor of Kohmard district of Bamyan province has indicted him for the murder of someone killed by others in 2008, although the evidence proves his innocence but the prosecutor still solicits 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 Surveillance Directorate to prosecute the case. The Control and Surveillance Directorate takes action in this regard together with the assigned delegation and the representative of the tenth police district by marking 200000 AFS and submitting it to the colleague and after adequate documentation of the accused with the money, he gets arrested by the officials and the case is submitted to the Anti-Corruption Primary Court. In the court hearing dated July 13, 2020, in the presence of both parties, the Investigating Prosecutor of Kohmard District of Bamyan Province is unanimously sentenced to

five years and one month of imprisonment including the detention period, cash fine of the equivalent amount of bribe, and dismissal from duty on charges of bribery pursuant to article 371, paragraph 1(5), article 375 paragraph 1, and article 385 paragraph 1 of the Penal Code in compliance with articles 211 and 213 of the mentioned Code. Due to the objection of case parties, the case was submitted to the Anti-Corruption Appellate Court. In an open court hearing dated October 19, 2020, in the presence of both parties, in compliance with article 54 of the Law on Organization and Jurisdiction of the Judiciary, the verdict dated July 13, 2020 of the Anti-Corruption Primary Court was approved.

Verdict Dated October 14, 2020

The Conviction of CID Director of Kabul Province's Bagrami District Police on Charges of Abuse of Authority

Based on a report of one of the residents of Bagrami district of Kabul province regarding the solicitation of \$1000 in exchange for his brother's release and also the solicitation of 100000 AFS by the CID Director of Bagrami in order to remove the Conex box from their property, the CID General Directorate prepares a plan and in the presence of the representatives of the Prosecution Office, Ministry of Interior Affairs, the Investigating Prosecution Office, and Kabul Appellate Prosecution Office, first \$1000 is provided to the complainant after marking the bills but due to the identification of the undercover officers, they weren't able to arrest the suspect. Later, 100000 AFS was provided to the complainant after marking the bills. The CID Director of Bagrami takes the money and hides it under the kitchen table and behind his office refrigerator. While leaving the office, he was stopped by the arrest unit. However, by the help of his bodyguard and knowing the area very well, he escapes the police, but later he is arrested and the case is submitted to the Anti-Corruption Primary Court. In the court hearing dated July 28, 2019, in the presence of both parties including the defense attorney of the accused, the CID Director of Bagrami District Police of Kabul is sentenced to a fine of 250000 AFS and dismissal from duty on charges of abuse of authority pursuant to article 403 of the Penal Code, but he was

acquitted of the charges of bribery, violence against public servant and escaping arrest due to insufficient evidence in compliance with article 235 of the Criminal Procedure Code and article 5 of the Penal Code. The case was brought to the Anti-Corruption Appellate Court due to the objection of the prosecutor and in the court hearing dated October 14, 2020, in the presence of both parties, the Anti-Corruption Primary Court's verdict was amended and the judgment was made that the CID Director of Bagrami District Police of Kabul is sentenced to a fine of 300000 AFS and dismissal from duty on charges of abuse of authority in accordance with article 403, and article 218 paragraph 4 of the Penal Code, and the charges of bribery, violence against public servants and escaping arrest were dropped due to insufficient evidence in compliance with article 235 of the Criminal Procedure Code and article 5 of the Penal Code.

Judicial Performance Report of the Balkh Appellate Court's Public Security Division

1. Report

The Public Security Division of Balkh Appellate Court heard a total of 8 criminal cases related to corruption from June 21, 2020, to October 21, 2020. A total of 9 persons have been arrested on the charges of abuse of authority, bribery and forgery from which 2 of them were acquitted due to the lack of sufficient evidence and 7 of them were tried and sentenced as below:

- One year to five years imprisonment: 5 persons;
- Fine penalty: 2 persons.

The total amount of fine is \$1947.

Chart Number (5) Shows the Balkh Appellate Court’s Public Security Division Performance from June 21, 2020, to October 21, 2020

No	Type of case	Number of cases	Judicial decision (Verdict)							
			No of accused	Acquitted	No of convicts	Prison Sentences				
						one year imprisonment	month to one year imprisonment	years imprisonment	years imprisonment	Convicted to cash penalty
1	Abuse of authority	1	2	1	1				1	\$1298
3	Bribery	4	4		4		4			
4	Forgery	3	3	1	2		1		1	\$649
Total		8	9	2	7		5		2	\$1947

2. Verdict Summary Samples Issued by the Balkh Appellate Court’s Public Security Division Verdict Dated October 5, 2020

Conviction of the Balkh Public Health Directorate’s Environmental Health Subdirector Staff Member on Charges of Bribery

The Deputy Director of Samarqand Company has approached the Public Health Directorate of Balkh Province in order to finish the paperwork related to the license for the Mineral Water Company and the mentioned directorate has kept his documents for a month. The Environmental Health Doctor has approached the company several times, stating that the place of the company is not appropriate, therefore, they have to pay money in order to receive the license. The issue was documented and 50000 AFS was submitted to the accused by the complainant which was previously marked. The suspect was stopped at the front of Bakhtar School by the arrest unit and after frisking, the marked bills of 50000 AFS were found from his pocket and the case was submitted to the public security division of Balkh Primary Court. In the court hearing dated September 7, 2020, in the presence of both parties, the accused was unanimously sentenced to two years and six months of imprisonment including the detention period and a fine of 50000 AFS and dismissal from duty on charges of

bribery. Due to the objection of both parties, the case was brought to the Public Security Division of Balkh Appellate Court. In the court hearing dated October 5, 2020, according to article 54 of the Law on Organization and Jurisdiction of the Judiciary and article 267, paragraph 3 of the Criminal Procedure Code, the verdict of Primary Court's Public Security Division of Balkh was overturned due to the erroneous application of law and mistaken conclusion from the case, thus, the suspect was unanimously sentenced to a fine of 100000 AFS pursuant to article 403 paragraph 1 of the Penal Code and dismissal from duty in accordance with article 403 paragraph 2 of the Penal Code.

Verdict Dated September 28, 2020

Conviction of CID Officers of Balkh Police on Charges of Bribery

Based on a complaint to the CID Office of Balkh Police Department by a woman stating that she has been raped, the case is referred to the family problems subdirector, where two officers ask 30000 AFS from the woman's brother in order to take legal action against the suspect and to avoid his escape. The woman's brother reports the issue to the internal management of the department, thus the department provides him with 27500 AFS after marking the bills and he submits it to the accused. Then, the previously marked bills are found from behind the desk and chair of the accused in the presence of the relevant prosecutor and the accused is arrested. The case is submitted to the public security division of Balkh Primary Court. In the court hearing dated August 8, 2020, in the presence of both parties, the accused are unanimously sentenced to two years and one month of imprisonment each including the detention period according to article 371 paragraph 3 of the Penal Code and in compliance with article 58 of the Penal Code, and dismissal from duty pursuant to article 385 of the Penal Code in compliance with article 68 of the Code on charges of bribery. Due to the objection of the accused, the case is brought to the Public Security Division of the Balkh Appellate Court. In the court hearing dated September 28, 2020, in accordance with article 54 of the Law on Organization and Jurisdiction of the Judiciary and pursuant to article 267 paragraph 1 of the Criminal Procedure Code, the verdict of Public Security Division of Balkh's Primary Court is approved unanimously.

Fight Against Drugs (Narcotics and Intoxicants)

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

1. Report

The Primary Court of Counter-Narcotics Justice Center heard a total of 130 cases related to the drugs from September 22, 2020 to October 21, 2020. A total of 197 people were arrested on the charges of smuggling and carrying drugs from which 10 of them were acquitted due to the lack of sufficient evidence and 187 of them were tried and sentenced as below:

- One month to one year of imprisonment: 2 persons;
- One year to five years of imprisonment: 63 persons;
- Five years to 15 years of imprisonment: 74 persons;
- 15 years to 20 years of imprisonment: 29 persons;
- 20 years to 30 years of imprisonment: 19 persons.

In connection to the abovementioned trials the verdict has been issued to eliminate (17011.841) kg and (1134.5) Lt drugs of different types.



Chart number (1) shows the judicial performance of Primary Court of counter Narcotics Justice Center from September 22, 2020, to October 21, 2020

Sl number	Type of case	Number of case	Amount of items	Judicial Decision							
				Number of accused	Acquittal	Number of convicted	Fine Penalty	Number of enforced prisoners			
								1-5 years imprisonment	5-15 years imprisonment	15-20 years imprisonment	20-30 years imprisonment
1	Methamphetamine	70	301,047	90	7	83		32	35	13	3
2	Heroin	26	588,885	48		48		12	14	7	15
3	Morphine	6	72,93	7		7		1	4	1	1
4	Hashish	12	3834,288	24	2	22		1	18	3	
5	Opium	3	89,5	4		4		1	1	2	
6	Herbaine	4	12044	9		9		9			
7	Tablet K	4	7,537	9	1	8		4	2	2	
8	Acid	1	73,654	1		1				1	
9	Alcoholic Drinks	4	1134,5 Lt	5		5	2	3			
Total		130	17011,841	197	10	187	2	63	74	29	19

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

Verdict dated October 4, 2020

Thirteen Years of Imprisonment on Charges of the Possession of 280 grams of Methamphetamine

Based on a report, the Counter-Narcotics Police Department of Kandahar's 4th District identified a man who used to sell drugs to the

addicted people in the area and assigned an officer to purchase drugs by using the previously marked bills. The officer contacts the seller and asks him to come to Deh Khwaja area of the 4th District and the seller arrives at the area with 280 grams of methamphetamine. The seller is arrested while submitting drugs to the officer and receiving the marked bills and confesses his crime, stating that the drugs belong to someone living in the 12th District of the city. Then, the seller calls the main supplier and asks him where to bring him the money. The supplier tells him to bring it to his house. The officers arrest the supplier too by the help of the seller; thus, the case is submitted to the Primary Court of Counter Narcotics Justice Center. In the court hearing dated October 4, 2020, in the presence of case parties, both of the accused are sentenced to ten years and six months of imprisonment each, including the detention period, pursuant to article 303, paragraph 2, subparagraph 5 of the Penal Code on charges of possession of 280 grams of methamphetamine, and according to article 311 of the Penal Code, both of the accused are sentenced to one year and six months of imprisonment on charges of selling the drugs, and the main supplier is sentenced to one year and one month of imprisonment on charges of employing someone for selling drugs in compliance with article 310 of the Penal Code. Pursuant to article 75 of the Penal Code, the applicable punishment of the drug owner (main supplier) is 13 years and one month of imprisonment and the applicable punishment of the seller is 12 years of imprisonment. Furthermore, according to article 32 of the Law on Counter-Narcotics, 10000 Pakistani Rupees and two cellphones including their sim cards are confiscated and pursuant to article 19 of the mentioned law, the drugs are to be eliminated.

Verdict Dated October 7, 2020

Eighteen Years of Imprisonment on Charges of Smuggling 115,84 kilograms of Hashish, 2,3 grams of Amphetamine and 5 grams of Hashish

A smugglers' group in Nangarhar were under the supervision of the Information and Investigation Administration, during which the information was received that a smuggler and seller of the drugs, purchases Tablet K, Hashish and chemicals and sells them in Jalalabad city by his employees to the addicted people. Several public servants of Nangarhar were in contact with the seller and by abusing their

authorities, they were cooperating in the selling of Tablet K and hashish. Therefore, the seller's phone number was being heard by the authorities and eventually two people together with the smuggler get arrested by the Information and Investigation Administration's officials with the cooperation of Kabul Gate Command in the Pul-e-Charkhi gate of Kabul. After that, based on the information, the officials search in the house and shop of the seller in the 7th District of Jalalabad city in which 115,84 kilograms of hashish, firearms, 1300000 Pakistani Rupees, 50000 AFS, ten cellphones and a motorcycle are found and seized. Following this issue, three other suspects are also arrested and the case is submitted to the Primary Court of Counter-Narcotics Justice Center. In the court hearing dated October 7, 2020, in the presence of case parties, the seller is sentenced to ten years of imprisonment including the detention period, pursuant to article 305, paragraph 1 subparagraph 7 of the Penal Code on charges of smuggling hashish, and 9 months of imprisonment on the charges of smuggling 2,3 grams of methamphetamine according to article 303 paragraph 2 subparagraph 1 of the Penal Code, and a fine of 5000 AFS on charges of smuggling 5 grams of hashish according to article 305 paragraph 1 subparagraph 1 in compliance with article 75 of the Penal Code. The applicable punishment on the seller is ten years of imprisonment pursuant to article 73 of the Penal Code which is the most severe punishment. On charges of employing people for selling drugs, according to article 310 of the Penal Code, the employer was sentenced to five years of imprisonment and on charges of selling the drugs to the addicted people, in accordance with article 311 of the Code, three years of imprisonment was imposed. On the charges of possessing firearms, pursuant to article 536 of the Penal Code, he was sentenced to a fine of 60000 AFS. In compliance with article 75 of the Penal Code, the applicable punishment is 18 years of imprisonment and a fine of 65000. The other accused was sentenced to nine months of imprisonment on charges of possessing 2,3 grams of methamphetamine pursuant to article 303 paragraph 2(1) of the Penal Code and on charges of possessing 5 grams of hashish, he was sentenced to a fine of five thousand AFS according to article 305 paragraph 1(1) of the Penal Code and in compliance with article 75 of the Code, and on the charges of helping in the smuggling of 115,84 kilograms of hashish, he was sentenced to seven years of imprisonment pursuant to article 305

paragraph 1(7) and considering article 59 of the Penal Code and in compliance with article 218 and 219 of the Code. In accordance with article 75 of the Penal Code, the applicable punishment is 7 years and 9 months of imprisonment and a fine of 5000 AFS. Three other suspects were sentenced to seven years of imprisonment each, on charges of helping the smuggling of 115,84 kilograms of hashish according to article 305 paragraph 1(7) of the Penal Code and considering article 59 and in compliance with articles 218 and 219 of the Code. Another accused was sentenced to two years of imprisonment on charges of not informing the officials according to article 480 of the Penal Code. In addition, a corolla car and a motorcycle pursuant to article 308 of the Penal Code and 1300000 Pakistani Rupees, 86320 AFS, \$100 and 20 cellphones with their sim cards were confiscated in accordance with article 32 of the Law on Counter-Narcotics. The firearms were also confiscated in accordance with article 454 of the Penal Code and three pistols were restituted to their relevant public servants. In compliance with article 19 of the Law on Counter-Narcotics, the drugs are to be eliminated.

B. Judicial Performance Report of the Appellate Court of Counter Narcotics Justice Center

1. Report

The Appellate Court of Counter-Narcotics Justice Center heard a total of 113 cases related to the drugs from September 22, 2020 to October 21, 2020. A total of 156 people were arrested on the charges of smuggling and carrying drugs from which 7 of them were acquitted due to the lack of sufficient evidence and 149 of them were tried and sentenced as below:

- One year to five years of imprisonment: 54 persons;
- Five years to 15 years of imprisonment: 52 persons;
- 15 years to 20 years of imprisonment: 34 persons;
- 20 years to 30 years of imprisonment: 9 persons.

In connection to the abovementioned trials the verdict has been issued to eliminate (92603,288) kg and (1028,654) Lt drugs of different types. The total amount of fine is \$3961.

Chart number (2) shows judicial performance of the Appellate court of Counter Narcotics Justice Center from September 22, 2020, to October 21, 2020

Sl number	Type of case	Number of case	Amount of items	Judicial Decision							
				Number of accused	Number of Acquitted	Fine Penalty	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	54	109,66	67	3	4090	64	25	22	16	1
2	Heroin	25	250,105	38	1	3202	37	6	16	9	6
3	Morphine	6	147,915	6		259	6		1	3	2
4	Opium	10	360	10		1688	10	2	4	4	
5	Hashish	6	2355,808	11	3	1948	8	5	3		
6	Chemicals	3	242,654 Lt	6			6	4		2	
7	Tablet K	2	0,8	6			6	3	3		
8	Alcoholic Drinks	3	786 Lt	4			4	4			
9	Herbaine	4	89379	8			8	5	3		
Total		113	92603,288	156	7	11187	149	54	52	34	9

2: Verdict Summary Samples issued by the Appellate Court of Counter Narcotics Justice Center Verdict dated October 19, 2020

Sixteen Years of Imprisonment on Charges of Smuggling 1,490 Kilograms of Methamphetamine

Anti-Narcotics Officers of Kandahar Police Command based on previous information that someone in the Loy Wiala area of Kandahar city transfers the amount of methamphetamine for sale in a taxi, since the details of the taxi and the transmitter were already known, the

officers identified the vehicle in the Shah Wali Kot Pump area. upon the arrival of the arrest unit, the accused moves to the 12th District area by his own taxi, who was finally stopped by the arrest squad in the area of the Genral family road of the 12th District (12). The transmitter escaped from the car, pulled a plastic map from under his skirt and threw it to the ground while fleeing. Finally, he was arrested at a distance of (50) meters from the car and (1.490) kilograms of narcotics were found inside the plastic map. The methamphetamine was found and the accused was arrested through a drug carrier and introduced to the judicial organs. The case entered the primary court of counter narcotics justice center. In the court hearing dated September 25, 2020, in the presence of the parties of the case, unanimously agreed on the case. Transfer amount (1.490) kg meta Meftamine according to paragraph (5) of paragraph (2) of Article (303) of the Penal Code for a period of (twenty years, seven months and twenty-two days) sentenced to enforceable imprisonment and in accordance with Article (779) of the Penal Code with confiscation through the type of scalp and according to Article The Anti-Narcotics and Alcohol Law confiscated a mobile phone with its SIM cards and according to Article (19) of the said law, the amount of (1,490) kilograms of methamphetamine obtained was sentenced to expropriation, but the case of dissatisfaction of the accused, the case was brought to the Appellate Court of Counter narcotics justice center. In the judicial session dated October 19, 2020 unanimously and the real parties relied on Article (54) of the Law on the Establishment and Jurisdiction of the Judiciary and Article (267) of the Criminal Procedure Code of the Court of First Instance. Modification and appeal of the accused in the case of smuggling (1,490) kg of methamphetamine according to paragraph (5) paragraph (2) of Article (303) of the Penal Code in accordance with Article (83) of the Penal Code sentenced to imprisonment (sixteen years and two months) imprisonment Thus, the confiscation of the objects mentioned in the above-mentioned decision has been ordered according to Article (32) of the Law on Combating Narcotics and Alcohol and an intermediary vehicle of the Saracha type according to Article (779) of the Penal Code.

Verdict Dated October 19, 2020

Five Years of Imprisonment on Charges of Smuggling 16 Kilograms of Opium

The special unit of Badakhshan Police Department, based on the information of a colleague stating that one of the residents of Draaym District is smuggling firearms and drugs, the officials search in the house of the person in the presence of the relevant prosecutor. Eventually, 16 kilograms of opium, a pistol with five bullets and a rifle are found and seized. The case is submitted to the Primary Court of Counter-Narcotics Justice Center. In the court hearing dated September 15, 2020, in the presence of case parties, the accused is unanimously sentenced to five years of imprisonment on charges of smuggling 16 kilograms of opium according to article 304 paragraph 1(6) and in compliance with articles 213 and 214 of the Penal code and on the charges of growing poppies in half acre land, pursuant to article 301 paragraph 2(2) of the Penal Code he is sentenced to two years of imprisonment. The applicable punishment on him is five years of imprisonment in compliance with article 73 of the Penal Code. On charges of possessing a pistol, according to article 536 of the Penal Code, he was sentenced to a fine of 30000 AFS and in compliance with article 545 of the Penal Code, the confiscation of the pistol with its bullets was imposed, and pursuant to article 19 of the Law on Counter-Narcotics, 16 kilograms of opium was to be eliminated and the rifle was not confiscable in accordance with article 529 of the Penal Code and was to be restituted to its owner according to article 138 of the Criminal Procedure Code. The case was brought to the Appellate Court of Counter-Narcotics Justice Center due to the objection of the case parties. In the open court hearing dated October 19, 2020, in the presence of case parties, based on article 54 of the Law on Organization and Jurisdiction of the Supreme Court and pursuant to article 267 of the Criminal Procedure code, the verdict of the Primary Court of Counter-Narcotics Justice Center dated September 15, 2020 was approved.

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