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Meetings and Sessions

The Chief Justice Holds Farewell Meeting with the Head of UNAMA Rule of Law Unit

H.E. Sayed Yousuf Halim, the Chief Justice of the Supreme Court, held a farewell meeting with Ms. Romana Schweiger, the Head of UNAMA Rule of Law Unit on January 10, 2020. In this meeting, first Ms. Schweiger expressed her satisfaction and appraisal for the UNAMA Rule of Law Unit's relations with judicial and justice institutions, especially the Supreme Court.



She added that she is pleased about their cooperation with the judiciary but is also saddened by the security threats facing the justice system and the assassination of judges. She hoped that the Supreme Court could tackle these challenges which are facing the rule of law and administration of justice. Then, the Chief

Justice praised the efforts and endeavors of Ms. Schweiger in maintaining a good working relationship between the judiciary and the UNAMA. His excellency added that Ms. Schweiger has been a good colleague of the justice and judicial institutions, especially the judiciary, and was able to understand the challenges facing the judiciary of Afghanistan due to her judicial background and deep understanding which is appreciable. His excellency wished her success in her future appointment.

The High Council of the Supreme Court Sessions Report

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



- ❖ The judiciary's activity report of was reviewed by the High Council. The report included the judiciary's status in the Constitution, the High Council of the Supreme Court's accomplishments, court activities, legislative activities related to the judiciary, the process of supervising the courts, appointment of judges, organizational and administrative reform, capacity building programs, judicial training course, fighting corruption, information technology activities, institutionalizing open trials, the budget status, the judiciary's infrastructure and the challenges facing the

judiciary in different aspects. After the report's approval, it was instructed by the High Council to submit it to the President's Office and share it with the public within the framework of the government's accountability to the nation program.

- ❖ The report of the Judicial Surveillance Department of the Supreme Court was reviewed. According to the report, due to the hard work of the department in fighting corruption, suspects including judges, administrative staff, one defense attorney and others were arrested on charges of bribery, fraud, using forged instruments and official documents' theft, and after preliminary investigations, their cases were submitted to the relevant authorities.
 - ❖ The aggravating circumstances of crimes were discussed and pursuant to articles to of the Penal Code, it was stated that if the courts increase the punishment due to the existence of aggravating circumstances in a crime, they are obliged to mention the reasons for which the punishment is increased, in their judgment.
 - ❖ Based on the occasional report of the Judicial Inspection General Directorate, the Herat Primary Court judge's statement was heard whose misconduct was identified as a result of the investigation. Thus, disciplinary procedures were initiated against him and one of the judges of the Takhar Appellate Court due to their misconduct in accordance with the Judicial Misconduct Regulation.
 - ❖ In order to preserve and prevent the deeds from being tampered, keeping them safe from forgery, preventing illegal possession, damages and other possible abuses, the Procedure on Deeds Records in Registry Offices was approved and the Registry Offices were instructed to
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implement it.

- ❖ Concerning the Kabul Appellate Court's instruction-demand regarding the implementation of articles and of the Civil Procedure Code in commercial cases, the State-Owned Land Usurpation Appellate Court's instruction-demand regarding the legal and criminal aspects of state-owned land usurpation, the Balkh Appellate Court's instruction-demand on determining the competent court in hearing a government related case, the instruction-demand of the Attorney General's Office about the jurisdiction in counterfeiting cases, the Kabul Appellate Court's instruction-demand on determining the competent court and complying with article of the Criminal Procedure Code with regard to a convict of abuse of authority and bribery and the Badghis Appellate Court's instruction-demand regarding the obstacles to the implementation of a consent judgment, in which the object of claim is not specified and it is doubted that the state's right is also included in it but one of the heirs claims delimitation of his portion, necessary instructions were provided in compliance with applicable laws.
 - ❖ Three applications for revision in civil cases in accordance with article of the Civil Procedure Code and some motions for change of venue in criminal cases were reviewed. In addition, at the request of the Attorney General's Office, the authority to try criminal cases was delegated to the Appellate Courts of Kabul, Balkh, Paktika, Laghman, Uruzgan, Ghazni, Badghis, Kandahar, Samangan and Nangarhar.
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The High Coordinating Committee of Justice and Judicial Institutions Holds Session

The High Coordinating Committee of Justice and Judicial Institutions held a session on February , , which was chaired by H.E. Sayed Yousuf Halim, the Chief Justice of the Supreme Court, with the participation of the Attorney General, the Minister of Justice, the Judicial and Legislative Head of the Administrative Office of the President, the Head of the Independent Bar Association, the Law Department Director of the Ministry of Defense and the Legal Advisor to the Ministry of Interior Affairs.



In this session, according to the agenda, not hearing the Primary Court cases in Appellate Courts, the applications for revision in civil cases at the request of the Attorney General's Office, the issue of filing cases in courts without bail, enforcement of fine penalty in criminal cases, the prosecution offices' investigation into the official documents' forgery, not providing records-related information to non-judicial institutions, withdrawal of non-relatives from their complaints in harassment against women

cases, repealing article of the Elimination of Violence Against Women Law by enforcing the Law on Preventing and Combatting Harassment Against Women and Children, recording the court judgments in the Case Management System (CMS), filling the investigation gaps instantaneously, undercover operations' procedure, and holding coordination meetings of justice and judicial institutions at the provincial level were discussed. The Committee took necessary decisions in accordance with law and it was instructed that each of the relevant authorities must comply with the High Committee's resolutions and approvals.

(The resolutions adopted in the fifth session of the High Coordinating Committee of Justice and Judicial Institutions are published in issue no. of Mizan Gazette.)

Information Is Provided Regarding the Judiciary's Activities and Achievements in the Government's Accountability to the Nation Program

Justice Jawed Rashidi, the Acting General Administrative Director of the Judiciary, provided information to the public in the government's accountability to the nation program regarding the activities and achievements of the judiciary which was focused on the status of the judiciary in the Constitution, the



High Council of the Supreme Court's accomplishments, court activities, legislative activities related to the judiciary, coordination with the justice and judicial institutions, supervising the activities of the courts, recruitment process of the Human Resources General Directorate, capacity building programs, judicial training course, fighting corruption, information technology activities, conducting open trials, the judiciary's policies and programs, publications and civil awareness

[SPECIAL BULLETIN OF THE SUPREME COURT]

programs, the status of the budget, the judiciary's infrastructure and the challenges facing the judiciary on Tuesday, February , . The reporters' questions were also answered.

The Chief Justice and the High Council of the Supreme Court Members attended the Quran Recitation and Fatiha Ceremony of the Two Female Martyred Judges

In a ceremony which was held in the Supreme Court's Mosque on January , , with the participation of the martyrs' family



members and a group of judicial and administrative staff of the Supreme Court, at first, the Holy Quran was recited and then, the participants including the Chief Justice, the High Council of the Supreme Court Members and the martyrs' family members prayed for the late justices Zakia Herawi and Qadria Yasiny, members of the Directorate-General for Research and Studies, who were assassinated by the enemies of the country's peace and stability, asking paradise for the martyrs and great patience for their bereaved families.

The Training Programs Held by the Capacity Building and Performance Evaluation Directorate

As part of the training programs of the Capacity Building and Performance Evaluation Directorate, the following training programs were held for the staff members of central and provincial courts in December and January :

- . The Budget and Accounting Training Program was held in the Nangarhar Appellate Court's hall on December - , , financially supported by the Adalat Project (Checchi), in which finance and revenue collection officers of the Nangarhar, Nuristan, Laghman and Konar Appellate Courts attended.

The program focused on budget, accounting, supervision of revenue collection, procurement and stock accounting.

- . The Leadership Skills Training Program was held on December - , , with the financial support of the JSSP in which subdirectors and managers of the Supreme Court divisions and directorates attended.

The program focused on the basics of leadership skills, definition of leadership, importance of leadership, characteristics and functions of a leader, differences between leader and manager, leadership in Islam, views and opinions of western schools of thought on leadership, leadership styles, the four quadrants of the Eisenhower matrix, motivation and leadership, sources of power in leadership and practical activities.

- . The Judicial Statistics System Training Program was conducted in three groups under the direction of the
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General Administrative Directorate of the Judiciary, in accordance with the Policy Planning Directorate's needs on December - , , in which correspondence and administrative staff members of courts attended.

The program focused on access to the judicial statistics system, sections' description, dashboard, recording civil and criminal cases reports on a quarterly basis, recording deeds reports on a quarterly basis, recording or rejecting cases, general reporting, and data entry. The system is established in order to facilitate and simplify the processes and manage the issues electronically, which provides extremely valuable facilities for the users of the system and the judicial statistics department of the Policy Planning Directorate.

The feedback on the training programs was received from each group by the Capacity Building and Performance Evaluation Directorate and the Directorate-General for Human Resources.

- . The Performance Evaluation Training Program was conducted in Kabul on December - , , financially supported by the Adalat Project (Checchi) in which administrative staff members of the Directorate-General for Finance and Administration and the Recruitment Directorate attended.

The training program focused on performance evaluation, the type of performance evaluation in Afghanistan's civil service, legal basis for the civil servants' performance evaluation, civil service and civil servants, civil service posts, performance evaluation objectives, types of performance evaluation, performance evaluation timeline, the importance and benefits of performance evaluation, the role of the Performance Evaluation Subdirector in the Supreme Court's civil servants' performance review process, performance evaluation cycle, performance

evaluation participants, civil servants' preparation for the performance evaluation session, writing performance report, subdirectors' preparation for the performance evaluation session, the performance review session, performance evaluation criteria, filling out the performance evaluation form, performance evaluation result of grades to civil servants, common mistakes made by the evaluators, the performance evaluation interview and recording the interview.

- . The Communication and Reporting Training Program was held in the Capacity Building and Performance Evaluation Directorate's Training Center on December - , , in cooperation with the JSSP in which the administrative staff members of the Appellate Courts of Maidan Wardak, Logar, Parwan and Kapisa attended.

The program focused on the basics of communication, the importance of communication, communication process, ineffective communication risks, communication tools, communication networks, organizational communication networks, communication skills for managers, writing emails, email structure, reporting methods, the importance of reporting, reporting features and reporting characteristics.

The Deeds and Instruments Registration Training Program Is Conducted for the Correspondence and Administrative Staff of the Appellate Courts of Nangarhar, Kunar and Laghman Provinces

As part of the training programs held by the Capacity Building and Performance Evaluation Directorate, the training program on deeds and instruments registration was held on December 10 - 11, 2019, with the financial support of the UNDP, in which correspondence and administrative staff of the Appellate Courts of Nangarhar, Kunar and Laghman provinces attended. The program focused on the legal basis of deeds and instruments registration, subject matter jurisdiction, territorial jurisdiction, assessing the capacity of parties to a deed, entering ID card details in deeds, signing and adding fingerprints in deeds, types of legal entities, the deed's tariff column, subject column, explanation column, paying the deeds' revenue, deeds of sale, deed of ownership and deed of will. The training program was considered constructive and important by the participants.

The Badghis Appellate Court Celebrates November ٢٥ – the International Day for the Elimination of Violence Against Women

Justice Mohammad Ajmal “Arabzai”, the Head of the Badghis Appellate Court, attended the celebration of the International Day for the Elimination of Violence Against Women (November) and the -day EVAW campaign.

The celebration was held in the conference hall of the governor’s office, under the title of “let’s replace violence with compassion” on November , , with the participation of Governor Hussamuddin Shams, Deputy Governor, Acting Police Chief, the Head of the Provincial Council, the Women’s Affairs Director, the Hajj and Religious Affairs Director, the media and a large number of men and women.

The Head of the Court spoke on the status of women in Islamic Sharia and applicable laws, stating that H.E. Prophet (PBUH) always advised to treat women with kindness. He added that Islam is a religion which upholds the principles of justice and equality in all parts of our lives and orders us to observe the rights of women. He emphasized the role of women as mothers and wives and briefly explained the Procedure on the Committee on Combatting Harassment Against Women and Children in the Judiciary. He also provided information about dealing with the cases of violence against women by the Primary and Appellate Courts in the present year.

The Six-Day Training Program of the Judicial Training Directorate Ends

On December 10, 2019, the six-day training program on Civil Law, Deeds and Commercial Law ended, which was held by the Judicial Training Directorate of the Supreme Court and 100 judges of the eastern zone participated in it. The Head of the Nangarhar Appellate Court, Justice Mufti Mohammad Wazir, expressed his gratitude to the Supreme Court and stated that the judiciary has made great progress. He added that in order to become a judge, a lot of steps must be taken, therefore he recommended that judges must be honest and committed throughout their term of service.

Justice Mufti Mohammad Wazir said that the country's budget is spent on building capacity and conducting training programs, therefore, the participants should pay attention to the training programs, use what they learned in practice, and share their experience with others. The Head of the Court added that a large number of young people have been recruited into the judiciary, for this reason, he recommended that young people should fight the corruption in all aspects of the judiciary. The participants of the six-day training program entitled "Civil Law, Deeds and Commercial Law (Commercial Contracts and Companies)", who participated from Nangarhar, Kunar, Laghman and Nuristan provinces, expressed their gratitude to the instructors and considered the training program constructive.

The Seminar on Challenges and Approaches to the Case Management System Is Held in the Herat Appellate Court

On December 10, 2014, the one-day training program on Challenges and Approaches to the CMS (Case Management System) was held in the meetings' hall of the Herat Appellate Court, with the participation of Justice Mohammad Sharif Fani, the Head of the Appellate Court, Khwaja Ahmad Zubair Siddiqi, the Head of the CMS, Mujtaba Alemi, the CMS Legal Advisor to the Supreme Court and the Heads of justice and judicial institutions.

At first, the Head of the Court spoke on the advantages of the CMS and considered this system as one of the most important and major achievements of justice and judicial institutions. He added that numerous problems have been solved by utilizing this system. The Head of the Court referred to article 1 of the Penal Code regarding ease of access to the criminal records, considering the system quite beneficial and valuable. He also emphasized that conducting such seminars is a great opportunity to share ideas for enriching the system. Later, the Director-General for Case Management System provided information regarding the status of the CMS in the country, adding that the second version of the system is being designed and developed. He stated that according to the justice and judicial institutions' request regarding the system which has created challenges for them, as the system is outdated, the JSSP decided to develop the second version of the CMS which is supported by the government and donors and the work on the second version of it is currently under progress.

The Anti-Corruption Training Programs Are Conducted at the Zone Level

The Capacity Building and Performance Evaluation Directorate held eight three-day training programs from internal resources pursuant to the Supreme Court's training programs' expenditure proposal, in accordance with the Judiciary's Action Plan, the Anti-Corruption Strategy and the annual training plan at the zone level.

The programs were held on October - , , and October to November , in Kabul, then on November - , in Nangarhar, November - , in Herat, November - , in Kandahar, November - , in Balkh, November - , in Kunduz, and December - , in Ghazni.

The training programs focused on: corruption in Islamic Law, definition of corruption, types of corruption, corruption from the perspective of the Holy Quran and Sunna, corruption based on its consequences and costs, corruption in the country's applicable laws, definition of bribery, punishment for bribe-giver, bribe-taker and the mediator, punishment for embezzlement, punishment for abuse of authority, punishment for abuse of duty or position, punishment for tampering with a judge or public officials, civil servants' refusal of duty, discrimination in office, crimes related to inspection or calculation, unlawful search, disclosure of official secrets and documents, duty misconduct of the prosecutorial misconduct, complementary penalty for abuse of duty or position, punishment for illicit enrichment, punishment for forgery, torture, compensation, criminal impersonation, and abusing fingerprints or titles.

News and Events

- A meeting was held on the implementation of agreements in the library of the Supreme Court, under the chairmanship of Matiullah Amin, the Policy Planning Director, with the participation of Sekandar Nisar, the Foreign Relations Director, the JSSP, IDLO and Adalat Project (Checchi) Officials, on January , . In the session, the agreements' progress was reviewed and it was recommended that such meetings be held once a month.
 - On November , , Justice Sayed Qayum Kamali, the Head of the Badakhshan Appellate Court, in company with Justice Mufti Abdul Wakil Abedi, the Head of the Primary Court, Justice Habiburrahman Rahmani, the Acting Head of the Elimination of Violence Against Women and Children Division, and Justice Ghawsuddin Rajabzad, the Acting Head of the Public Security and Anti-Corruption Division visited the Prisons Administration of the province.
During the visit, the prisoners' problems were heard in person, and it was promised that their problems will be dealt with in accordance with the law and regulations.
 - The session of the Anti-Harassment Committee of the Jowzjan Appellate Court was held at the Appellate Court compound on December , . The agenda items were discussed and it was stated that no complaint has been filed with this committee yet.
 - On December , , Justice Alifzai Islami, the Deeds' Registry Subdirector of the Samangan Appellate Court was interviewed within the framework of the Judicial Awareness Program. In this interview, he spoke on the types of deeds and other related issues which was broadcast on the national television of the province.
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- On November , , a delegation of the Judicial Inspection Directorate left for Faryab province in order to inspect the courts and on December , , the inspection was completed and a session was held in this regard which was chaired by Justice Ghulam Sakhi Habib, the Head of the Appellate Court.

The Head of the Court spoke on the judiciary, adjudicating and ensuring justice in adverse conditions, and the importance of assigning judicial inspectors in Islamic Sharia, applicable laws and the High Council of the Supreme Court approvals. Then, the delegation of the Judicial Inspection Directorate expressed their gratitude to the Head of the Court and its judicial and administrative staff for their cooperation.

- On December , , a person suspected of using a forged stamp and signature in the Marriage Certificate in Mazar-e-Sharif was identified by the Deeds' Registry Subdirector of the Balkh Appellate Court and was considered liable for prosecution, for which he was referred to the relevant authority for further investigation.
- On October , , Justice Ghulam Sakhi Habib, the Head of the Faryab Appellate Court met with the Women's Cultural and Social Association of the province.

In this meeting, the problems of the Martyrs and the Disabled Department on securing current privileges, the existence of corruption in that department, processing the salaries of the disabled by commission workers, disregarding the disabled who are really in need and the suspension of the disabled and martyrs' salaries were discussed.

- On November , , Justice Mohammad Shoaib Ibrahimi, the Head of the Balkh Appellate Court met with the delegation of the Directorate-General for Criminal Technology of the Ministry of Interior Affairs.

In this meeting, the Head of the Court stated that one of the main factors in increasing the financial and corruption crimes rates is the institutionalization of forgery, which is detectable by the professional staff of the Directorate-General for

Criminal Technology. The parties also exchanged views on other issues of mutual interest.

- On January , , Justice Habibullah Amin, the Head of the Kunduz Appellate Court met with Mohammad Arif Tariq, the Kunduz Prisons Administrator, Mohammad Hashim Zarifi, Deputy Security Director, and Nazir Ahmad Tokhi, Court Relations Subdirector of the Prisons Administration.

In this meeting, the Prisons Administrator emphasized about not postponing the trial, not dismissing the cases, the prisoners' living conditions and health status and the officials' treatment with them. The Head of the Court stated that prisons are a place for correction, reintegration and re-education, and the officials should try their best to reintegrate and re-educate the prisoners. He promised to visit the Prisons Administration and the Juvenile Correctional Center in the near future and will survey the prisoners' educational and professional activities.

- On December , , the Nangarhar Appellate Court's Head of Divisions weekly session was held under the chairmanship of the Head of the Appellate Court. The Head of the Divisions reviewed some instruments like National ID Cards, Marriage Certificates, Deeds and other documents which were erroneous in their first drafts and the clients had petitioned for correction. Some of the instruments which were legally correctable, the relevant authorities were ordered to correct them after due diligence and necessary decisions were taken regarding the others.

It has to be mentioned that in some cases, in addition to recommending, instruction-demand are also requested, for which the session was held and necessary decisions were taken.

- On January , , Justice Mohammad Sharif Fani, the Head of the Herat Appellate Court met with the newly appointed Prisons Administrator of the province.

In this meeting, which was attended by Justice Fayezaullah Fayezi, the Criminal Division Head of the Appellate Court and some other judges, the Prisons Administrator reported the

problems and challenges facing the prisons to the Head of the Court and by giving suggestions, he asked for the cooperation of the Head of the Court in this regard. The Head of the Court welcomed the Prisons Administrator and promised to cooperate with him in dealing with the problems.

- On January , , Justice Abdul Qahar Mukhbit, the Head of the Sar-e-Pol Appellate Court, in company with the Primary and Appellate Courts' judges, met with Qurban Murad "Murad", the newly appointed Governor of the province and congratulated him on his appointment.

In this meeting, the Head of the Court spoke on the fight against corruption and asked for the Governor's cooperation in this regard. Later on, the newly appointed Governor promised to cooperate in the fight against corruption, implementing Sharia Law and ensuring the security of judges.

- On January , , Justice Ghulam Jelani "Sarwari", the Head of the Logar Appellate Court, attended a session which was held on the occasion of the Constitution's anniversary by the Governor.

The Head of the Court spoke on the implementation of the Constitution by the courts and emphasized the judiciary's role in implementing and protecting constitutional values and principles, which was well received by the participants.

The Fight Against Corruption

Judicial Performance Report of the Anti-Corruption Primary Court

. Report

The Anti-Corruption Primary Court heard a total of criminal cases related to corruption from December , to January , . A total of persons were arrested on charges of abuse of authority, bribery, embezzlement, forgery, mediation in bribery, and misconduct of public officials, from which of them were acquitted due to lack of evidence and of them were tried and sentenced as follows:



- Three months to one year's imprisonment: persons;
- One year to five years' imprisonment: persons;
- Fine penalty: persons.

The total amount of fine is \$.

**Chart Number (၁) Shows the Number of Offenders
Convicted by the Anti-Corruption Primary Court from
December ၁၁, ၂၀၂၀ to January ၁၉, ၂၀၂၁**

No	Type of case	Number of cases	Judicial decision (Judgment)						
			No of the accused	Acquitted	No of convicts	Prison Sentences			
						Three months to one year's imprisonment	- years' imprisonment	- years' imprisonment	Convicted of fine penalty
	Abuse of Authority								\$
	Bribery								\$
	Mediation in Bribery								\$
	Embezzlement								\$
	Forgery								\$
	Misconduct of Public Officials								\$
	Total								\$

Furthermore, the court has issued writs on cases and has sent them to the relevant authorities in order to fill the investigation gaps.

Chart Number () Shows the Writs Issued by the Anti-Corruption Primary Court from December , to January ,

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
	Forgery				Prosecutor's Office
	Bribery				Prosecutor's Office

Total				
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٢. The Anti-Corruption Primary Court Sample Case Briefs
Judgment Issued on January ٥, ٢٠٢١

Conviction of the Secretary and the Guard of the Kabul Eighth District Police on Charges of Mediation in Bribery

A resident of the eighth district of Kabul, who had previously bought a car, brought it to the Customs Office in order to pay the customs revenue. The car was stopped by the Secretary of the Eighth District Police and transferred to the Police Department together with the driver. The Police Secretary asked \$ for returning the car. After receiving the complaint, the Internal Security Officers of Police Department took action and by preparing an arrest plan, they provided the car owner with \$ after marking the bills and two suspects were arrested with the provided money, thus, the case was submitted to the Anti-Corruption Primary Court. In an open court hearing dated January , , in the presence of both parties, the defendants were sentenced to seven months' imprisonment including the detention period, a fine of the equivalent amount of the bribe and dismissal from duty on charges of mediation in bribery, in accordance with article , paragraph , subparagraph , article , paragraph , and article paragraph of the Penal Code, in compliance with article of the Code. In addition, pursuant to article of the Criminal Procedure Code, the court issued a writ to initiate a criminal case for the Eighth District of Kabul Police Chief.

Judgment Issued on January ٤, ٢٠٢١

Conviction of the Deputy Ministry of Education's Employee on Charges of Mediation in Bribery

Based on a report stating that one of the employees in the Deputy Ministry of Education prepares the th Grade Graduation Certificates in return for money, and according to the report, he is about to prepare three graduation certificates for \$ each. The National Security

Directorate took action and prepared an arrest by which \$ in marked bills was provided to the suspect in the second district of Kabul. The suspect was caught red handed and arrested, thus, the case was submitted to the Anti-Corruption Primary Court. In the court hearing dated January , , in the presence of both parties, the suspect was sentenced to one year and one month's imprisonment including the detention period, a fine of the equivalent amount of the bribe and dismissal from duty on charges of mediation in bribery in accordance with article paragraph subparagraph , article , article paragraph and article paragraph of the Penal Code, in compliance with articles and of the Code. The other suspect who was the General Manager of the Islamic Studies Directorate of the Ministry was acquitted of the charges of mediation in bribery due to lack of evidence, in accordance with article of the Criminal Procedure Code and article of the Penal Code.

Judgment Issued on January ٢, ٢٠٢١

Conviction of a Passenger on Charges of Illegal Export of Cash

The Passengers' General Management of the Hamid Karzai Airport's Customs Directorate reported that when a passengers, who was about to travel to Iran by Mahan Airlines, arrived at the check and control area of Hart Security Company and while he was being frisked and scanned, USD, AED, CAD, AFN and Iranian Toman was found from his bag and pockets. Therefore, the passenger was arrested and the case was submitted to the Primary Court of the Anti-Corruption Justice Center. In the court hearing dated January , , in the presence of both parties, the defendant was sentenced to seven months' imprisonment and confiscation of the proceeds on charges of illegal export of cash in accordance with article of the Penal Code.

Judicial Performance Report of the Anti-Corruption Appellate Court

١. Report

The Anti-Corruption Appellate Court heard a total of criminal cases related to corruption from December , to January , . A

total of persons have been arrested on charges of abuse of authority, bribery, forgery and embezzlement from which of them were acquitted due to lack of evidence and of them were tried and sentenced as below:

- Three months to one year’s imprisonment: persons;
- One year to five years’ imprisonment: persons;
- Fine penalty: persons.

The total amount of fine is \$.

Chart Number (၃) Shows the Anti-Corruption Appellate Court Performance from November ၂၁ to December ၂၀, ၂၀၂၀.

No	Type of case	Number of cases	Judicial decision (Judgment)							
			No of the accused	Acquitted	No of convicts	Prison Sentences				
						Three months to one year's imprisonment	- years' imprisonment	- years' imprisonment	Convicted to fine penalty	Fine penalty
	Abuse of authority								၇	\$၃၇၀၆
	Embezzlement									\$၂၀၀.၆၆
	Bribery									\$၂၂၀၀
	Forgery									
Total									၇	\$၂၄၉၃၃

Furthermore, the court has issued writs on cases and has sent them to the relevant authorities in order to fill the investigation gaps.

Chart Number (၄) Shows the Writs Issued by the Anti-Corruption Appellate Court from December ၂၁, ၂၀၂၀, to January ၁၉, ၂၀၂၁

No	Type of case	Number of cases	Number of the accused	Cause of the Writ	Relevant Authority
				Legal gaps and Defects	
၁	Abuse of authority	၁	၁၁	၁	Prosecution Office
၃	Bribery	၁	၆	၁	Prosecution Office
Total		၃	၁၇	၃	

۲. The Anti-Corruption Appellate Court Sample Case Briefs Judgment Issued on January ۱۶, ۲۰۲۱

Conviction of the Sixteenth District Kabul Police Sergeant on Charges of Bribery

A resident of Paktia province petitioned the Internal Security Management of the Kabul Police Department, alleging that he wanted to build a house on his plot of land in Khorasan town located in the th District of Kabul city. The sergeant of the first company squad stopped the construction on the plot and asked me to pay AFN. The Internal Security Officers of the Kabul Police Department took action and prepared an arrest plan by providing the petitioner (land-owner) with AFN in marked bills to submit it to the suspect. The suspect got in his car after receiving the money and before leaving the place, he was arrested together with his driver. The case was submitted to the Anti-Corruption Appellate Court. In the court hearing dated November , , in the presence of both parties, the sergeant was sentenced to eight months' imprisonment including the detention period, a fine of the equivalent amount of the bribe and dismissal from duty on charges of bribery, in accordance with article paragraph subparagraph , article paragraph and article paragraph of the Penal Code and in compliance with articles and of the Code. The soldier was acquitted of the complicity in bribery charges due to lack of evidence in accordance with article of the Criminal Procedure code and article of the Penal Code. However, due to the prosecutor's objection, the case was brought to the Anti-Corruption Appellate Court. In the court hearing dated January , , in the presence of both parties, pursuant to article of the Law on Organization and Jurisdiction of the Judiciary and article of the Criminal Procedure Code, the Anti-Corruption Primary

Court's judgment dated November , , regarding the sergeant was overturned and the defendant was sentenced to one year and one month's imprisonment including the detention period, a fine of the equivalent amount of the bribe and dismissal from duty on charges of bribery in accordance with article paragraph subparagraph , article paragraph and article paragraph of the Penal Code and in compliance with articles and of the Code.

Judgment Issued on January ١٧, ٢٠٢١

Conviction of Two District Chiefs of Badakhshan Province on Charges of Abuse of Authority, Making False Statements and Defamation

A Parliament Candidate from Badakhshan province of the previous Parliamentary Elections petitioned the Attorney General's Office twice, alleging that the Chiefs of Darwaz Bala and Kuf Ab Districts sent letters to the Electoral Complaints Commission about irresponsible armed individuals claiming that they are working for him (petitioner), but they couldn't provide evidence except some photos to prove their claims. Therefore, the chiefs of the above-mentioned districts were considered liable for prosecution and the case was submitted to the Badakhshan Primary Court's Public Security and Anti-Corruption Division. In the court hearing dated February , , in the presence of both parties, the defendants were sentenced to a fine of AFN each and dismissal from duty, on charges of abuse of authority in accordance with article paragraph of the Penal Code and in compliance with articles and of the Code. On charges of making false statements, the defendants were sentenced to AFN each, in accordance with article of the Penal Code and articles and of the mentioned Code. Due to lack of evidence, the court acquitted the defendants of defamation charges, in accordance with article of the Penal Code and article of the Criminal Procedure Code. However, due to the objection of both parties (the defendants and the

prosecutor), pursuant to article paragraph of the Law on Organization and Jurisdiction of the Judiciary, the case was brought to the Anti-Corruption Appellate Court which is located in the Kabul Province. In the court hearing dated January , , in the presence of both parties and pursuant to article of the Law on Organization and Jurisdiction of the Judiciary, the Badakhshan Primary Court's judgment on abuse of authority and defamation charges was affirmed, but the judgment on charges of making false statements was overturned, thus the defendants were sentenced to a fine of each, removal from office and dismissal from duty in accordance with article paragraphs and of the Penal Code and in compliance with article paragraph subparagraphs and , article paragraph and article of the mentioned Code.

Judicial Performance Report of the Public Security Divisions of the Provincial Courts With Regard to the Corruption Cases

1. Report

The Public Security Divisions of the Primary and Appellate Courts of the provinces heard a total of criminal cases related to corruption. A total of persons have been arrested on charges of abuse of authority, bribery, extortion, forgery and embezzlement from which of them were acquitted due to lack of evidence and of them were tried and sentenced as below:

- Three months to one year's imprisonment: persons;
- One year to five years' imprisonment: persons;
- Five year to sixteen years' imprisonment: persons;
- Fine penalty: persons.

The total amount of fine is \$.

Chart Number (۵) Shows the Public Divisions of the Provincial Courts' Performance With Regard to Corruption Cases

No	Relevant Court	Type of case	Number of cases	No of the accused	Acquitted	No of convicts	Judicial decision (Judgment)				
							Prison Sentences			Fine penalty	
							imprisonment to one year's	imprisonment - years	years penalty		
	The Sar-e-Pol Primary Court's Public Security Division (Sep to Dec ,)	Abuse of authority	۲						۵	\$۱۶.۶	
		Bribery	۱				۱				
	The Sar-e-Pol Appellate Court's Public Security Division (Sep to Dec ,)	Abuse of authority	۳					۱	۳	\$۴۶۶	
		Bribery	۱						۱	\$۲۵	
	The Jowzjan Primary Court's Public Security Division (Sep to Dec ,)	Abuse of authority	۱						۹	\$۲.۲۵	
		Forgery	۲				۲				
		Embezzlement	۲								
	The Parwan Appellate Court's Public Security Division (Mar to Dec ,)	Abuse of authority	۳								
		Embezzlement	۲				۱				
		Bribery	۱				۱			\$۱۲۹	
	The Parwan Primary Court's Public Security Division (Oct to Dec ,)	Embezzlement	۱	۱		۱	۱				
		Illegal Acquisition of Firearms	۱	۱	۱						
	The Nimroz Primary Court's Public Security Division (Sep to Jan ,)	Abuse of Authority	۱	۳		۳			۳	\$۷۷۷	
		Money Laundering	۱	۲	۱	۱	۱				
		Embezzlement	۲	۶		۶	۵	۱			
		Bribery	۲	۶		۶	۲	۴			
	The Maidan Wardak Primary Court's	Abuse of Authority	۱	۱	۱						

[SPECIAL BULLETIN OF THE SUPREME COURT]

No	Relevant Court	Type of case	Number of cases	No of the accused	Acquitted	No of convicts	Judicial decision (Judgment)			
							Prison Sentences			Fine penalty
							imprisonment to one year's	imprisonment - years	Convicted to fine penalty	
	Public Security Division (Sep to Dec ,)	Extortion	۱	۲		۲	۲			
	The Maidan Wardak Appellate Court's Public Security Division (Sep to Dec ,)	Abuse of Authority	۱	۱		۱			۱	\$۹۰۶
		Forgery	۱	۲		۲	۲			
	The Kapisa Appellate Court's Public Security Division (Nov to Dec ,)	Bribery	۱	۱		۱	۱			\$۷۹
		Forgery	۳	۵	۲	۳	۲		۱	\$۳۸۸
	The Badakhshan Primary Court's Public Security Division (Sep , to Jan ,)	Abuse of Authority	۳	۴	۱	۳			۳	\$۲۸۴
		Embezzlement	۱	۱		۱	۱			
		Bribery	۱	۱		۱			۱	\$۶۴
	The Badakhshan Appellate Court's Public Security Division (Sep to Dec ,)	Abuse of Authority	۲	۳	۱	۲	۲			
		Embezzlement	۲	۸۲	۱	۸۱	۲		۷۹	\$۶۴۲۲
		Bribery	۲	۲		۲	۲			\$۱۲۹۵
		Fraud	۱	۱	۱					
	The Daikundi Primary Court's Public Security Division (Oct , to Jan ,)	Abuse of Authority	۲	۲	۲					
		Forgery	۱	۳	۳					
		Embezzlement	۱	۱		۱			۱	\$۵۱۶
	The Daikundi Appellate Court's Public Security Division (Sep to Oct ,)	Abuse of Authority	۱	۱		۱			۱	\$۱۵۵
	The Takhar Primary Court's Public Security Division (Dec , to Jan ,)	Abuse of Authority	۲	۳	۱	۳			۳	\$۱۱۶۵

[SPECIAL BULLETIN OF THE SUPREME COURT]

No	Relevant Court	Type of case	Number of cases	No of the accused	Acquitted	No of convicts	Judicial decision (Judgment)			
							Prison Sentences			Fine penalty
							imprisonment to one year's	imprisonment - years	Convicted to fine penalty - years	
	The Panjshir Primary Court's Public Security Division (Oct , to Jan ,)	Abuse of Authority	۱	۱		۱	۱			\$۴۲۷
	The Panjshir Appellate Court's Public Security Division (Sep to Dec ,)	Abuse of Authority	۴	۷	۶	۱			۱	\$۷۷
	The Paktika Appellate Court's Public Security Division (Sep to Dec ,)	Abuse of Authority	۴	۱۰	۵	۵		۴	۱	
		Forgery	۴	۳		۳		۳		
		Bribery	۱	۱		۱		۱		
		Embezzlement	۳	۵	۱	۴	۱	۲	۱	
		Firearms Acquisition	۵	۴	۲	۲	۱		۱	
	The Paktika Primary Court's Public Security Division (Sep to Dec ,)	Abuse of Authority	۵	۶	۲	۴		۲		\$۷۲۹
		Forgery	۲	۳	۱	۲		۱	۱	
	The Balkh Primary Court's Public Security Division (Sep to Dec ,)	Abuse of Authority	۷	۱۲	۳	۹	۳			\$۷۹۶۶
		Forgery	۲	۷	۴	۳	۱		۱	\$۱۹۴
		Bribery	۴	۵	۱	۴	۲	۲		\$۱۴۶۳
		Embezzlement	۲	۲	۱	۱		۱		\$۲۴۲
	The Balkh Appellate Court's Public Security Division (Nov to Dec ,)	Abuse of Authority	۲	۵	۳	۲		۱		\$۱۹۴
		Forgery	۱	۱		۱			۱	\$۶۴۷
	The Samangan Primary Court's Public Security Division (Sep to Dec ,)	Embezzlement	۱	۱		۱		۱		
	The Samangan Appellate Court's Public Security Division (Sep to Dec ,)	Embezzlement	۱	۲	۱	۱		۱		

[SPECIAL BULLETIN OF THE SUPREME COURT]

No	Relevant Court	Type of case	Number of cases	No of the accused	Acquitted	No of convicts	Judicial decision (Judgment)				
							Prison Sentences				Fine penalty
							imprisonment to one year's	imprisonment - years	years penalty	Convicted to fine	
	The Farah Appellate Court's Public Security Division (Mar to Dec ,)	Abuse of Authority	٦	١٣	٤	٩	٥	٣	١		
	The Laghman Primary Court's Public Security Division (Apr to Dec ,)	Abuse of Authority	٥	٥	٢	٣				٣	\$٢٠٠٧
		Extortion	١	٢		٢				٢	\$٩٠٦
		Forgery	١	٤	٤						
	The Jowzjan Appellate Court's Public Security Division (Sep to Dec ,)	Abuse of Authority	١	٢		٢				٢	\$١٥٥٤
		Embezzlement	١	٢		٢		٢			\$٩١٢
		Bribery	٢	٣		٣	٣				\$١٠٣
		Forgery	٣	٣	٣						
	The Khost Appellate Court's Public Security Division (Dec , to Jan ,)	Abuse of Authority	١	٥	١	٤		٤			
	The Khost Primary Court's Public Security Division (Dec , to Jan ,)	Forgery	١	١		١		١			
	The Faryab Appellate Court's Public Security Division (Dec , to Jan ,)	Abuse of Authority	١	١		١				١	\$١٥٥
		Embezzlement	١	١		١		١			\$٣٩٤٥
	The Uruzgan Primary Court's Public Security Division (Dec , to Jan ,)	Abuse of Authority	١	١		١		١			\$٣٥١٠
		Embezzlement	١	٢		٢			٢		\$٧٥١٠٠
	The Badghis Primary Court's Public Security Division (Dec , to Jan ,)	Bribery	٢	٣		٣	١	٢			\$١١٦٥
		Embezzlement	١	٥		٥	١	٤			\$٢٨٧٠٤
	The Ghazni Appellate Court's Public	Abuse of Authority	٢	٤	٢	٢				٢	\$١٩٤٣

[SPECIAL BULLETIN OF THE SUPREME COURT]

No	Relevant Court	Type of case	Number of cases	No of the accused	Acquitted	No of convicts	Judicial decision (Judgment)				
							Prison Sentences				Fine penalty
							imprisonment to one year's	imprisonment - years	years penalty	Convicted to fine	
	Security Division (Dec , to Jan ,)	Forgery	۱	۶	۲	۴				۴	\$۱۰۰۰
	The Helmand Primary Court's Public Security Division (Sep to Dec ,)	Bribery	۱	۲		۲		۲			
		Embezzlement	۱	۵	۲	۳		۱		۲	
		Forgery	۱	۱		۱		۱			
	The Badakhshan Appellaet Court's Public Security Division (Sep to Dec ,)	Abuse of Authority	۱	۱		۱		۱			
		Embezzlement	۱	۴		۴		۴			
Total			۱۳۹	۳۲۸	۸۲	۲۴۶	۲۷	۷۰	۹	۱۴۰	\$۱۴۹۷۹۹

Sample Case Briefs of the Provincial Courts:

Judgment Issued on December ۵, ۲۰۲۰

Conviction of the Nimroz Downstream Petroleum Regulation Department's Employees on Charges of Embezzlement

The Najib Tarabar Trading Company imported a tanker, containing heavy hydrocarbon from Isfahan, Iran to the country through the Nimroz port with a total weight of kg for Ghulam Ali Noorzehi Company. Due to a compromise between the company and the Nimroz Downstream Petroleum Regulation Department's officials, the documents were forged in which the weight of the tanker was written as kg in order to reduce the customs revenue. The case was submitted to the Public Security Division of the Nimroz Primary Court. In the court hearing dated December , , three employees of the Nimroz

Downstream Petroleum Regulation Department were sentenced to two years' imprisonment each on charges of embezzlement in accordance with article paragraph of the Penal Code and in compliance with article paragraph of the Code, and the tanker owner together with the commission worker were sentenced to one year and one month's imprisonment and return of the embezzled money (AFN) on charges of complicity in embezzlement in accordance with article of the Penal Code.

Judgment Issued on December ۲, ۲۰۲۰

Conviction of the Herat Ninth District Police Department Member on Charges of Bribery

The Ninth District Police Officers of Herat Province entered a hotel during patrol, due to the overcharging complaints. Some of the hotel worker were taken to the Police Station, from which the offence of some of them were proved and the others were released. An officer asks one of the workers who was released on bail to pay him AFN in return for releasing him. The officer is caught red handed while receiving AFN form the worker, thus the case is submitted to the Public Security Division of the Herat Primary Court. In the court hearing dated December , , in the presence of both parties, the defendant was sentenced to one year and six months' imprisonment and a fine of the equivalent amount of the bribe on charges of bribery in accordance with article paragraph subparagraph and article paragraph of the Penal Code and in compliance with article of the Code. The mediator was also sentenced to a fine of AFN and another fine of AFN which is the equivalent amount of the bribe on charges of complicity in bribery in accordance with article paragraph subparagraph of the Penal Code and in compliance with articles and of the mentioned Code.

Judgment Issued on December ۳۰, ۲۰۲۰

Conviction of Two Customs Officers of Herat Province on

Charges of Embezzlement

According to the Governor's instruction, trailers were stopped from the Herat-Islam Qala route on suspicion of customs revenue evasion, smuggling and overloading and were taken to the Herat Customs Department. Then, the vehicles are checked by a supervisory board consisting of the representatives of the Appellate Prosecution Office, National Security Directorate, Customs Directorate, Commerce and Industries Chamber and the Police Department of Herat Province. Due to the difference between the customs office documents with the supervisory board's analysis, two customs officers and their manager were considered liable for prosecution on charges of embezzlement and the case was submitted to the Public Security Division of the Herat Primary Court. In the court hearing dated December , , in the presence of both parties, the customs officers were sentenced to one year and one month's imprisonment each and a fine of AFN on charges of embezzlement in accordance with article paragraph of the Penal Code, in compliance with article paragraph of the Code. The Customs Manager was acquitted of the embezzlement charges due to lack of evidence in accordance with article of the Penal Code.

Judgment Issued on October ٢١, ٢٠٢٠

Conviction of the Principal and Supervising Member of the Jowzjan Education Directorate on Charges of Embezzlement

A teacher who had a six-month contract with the school administration located in Khwaja Do Koh District, leaves the job after three months but the school's principal, who was responsible for approving the staff salaries and had to dismiss the teacher, knowingly, prepared the teacher's attendance report and has received his/her salaries for eight months which totals AFN. The issue was reviewed by the internal audit of the ministry of education and the principal together with the supervising member of the education directorate were considered liable for prosecution. Their case was submitted to the Public

Security Division of the Jowzjan Primary Court. In the court hearing dated August , , the principal was sentenced to a fine of AFN and dismissal from duty on charges of abuse of authority in accordance with article paragraph of the Penal Code and the supervising member of the education directorate was acquitted due to lack of evidence. However, due to the prosecutor's objection, the case was brought to the Public Security Division of the Jowzjan Appellate Court. In the court hearing dated October , , pursuant to article of the Law on Organization and Jurisdiction of the Judiciary, the Primary Court's judgment was overturned in accordance with article paragraph of the Criminal Procedure Code, hence the principal was sentenced to one year and one month's imprisonment on charges of embezzlement in accordance with article paragraph of the Penal Code and the supervising member was sentenced to one year and one month's imprisonment in compliance with article paragraph of the Penal Code. In addition, the defendants were jointly sentenced to return the embezzled amount of money in accordance with article paragraph of the Penal Code.

The Fight Against Drugs (Narcotics and Intoxicants)

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

1. Report

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



- Three months to one year’s imprisonment: person;
- One year to five years’ imprisonment: persons;
- Five years to years’ imprisonment: persons;
- years to years’ imprisonment: persons;
- years to years’ imprisonment: persons.

In connection to the abovementioned cases, it has been ordered to eliminate () kilograms of drugs and () tablet K pills.

Chart number (1) shows the judicial performance of Primary Court of Counter Narcotics Justice Center from December ۲۱, ۲۰۲۰ to January ۱۹, ۲۰۲۱

Judicial Decision	er of	Acquit	er of	Amou	Numb	Type	SI	er
	er of	er of	er of	nt of	er of	of	case	numb

							months-one year's imprisonment	- years' imprisonment	- years' imprisonment	- years imprisonment	- years imprisonment
	Methamphetamine	33	44,220	46	4	42		10	21	6	
	Heroin	28	311,909	42	2	40		12	10	11	7
	Opium	4	338	4		4		1	3		
	Hashish	2	149	2		2			2		
	Morphine	2	29	4		4		1	2		1
	Henbane and Poppy	2	1160	2		2		2			
	Complicity in Felony	1		1		1			1		
	Crystal	1	0,24	1		1		1			
	Tablet K	0	43,993	6		6	1	1	4		
Total		78	2081,417	108	6	102	1	33	43	17	8

٢: The Primary Court of the Counter-Narcotics Justice Center Sample Case Briefs

Judgment Issued on December 30, 2020

Thirty Years' Imprisonment on Charges of Trafficking ٢٤ Kilograms of Heroin

Due to the efforts of the Anti-Narcotics Officers in the Madaba checkpoint located in the Kashm District of Badakhshan Province, a plateless Corolla vehicle was stopped which was moving from Badakhshan to Takhar and after searching the vehicle, kilograms of heroin was found, for which the driver and his three companions were arrested. Thus, the case was submitted to the Primary Court of the Counter-Narcotics Justice Center. In the court hearing dated December

, in the presence of both parties, the driver was sentenced to thirty years' imprisonment including the detention period, on charges of drug trafficking in accordance with article paragraph subparagraph of the Penal Code and on charges of driving a plateless vehicle, he was sentenced to a fine of AFN in accordance with article of the Penal Code. Pursuant to article of the Penal Code, both punishments are applicable on the driver. Three other defendants were sentenced to twenty years' imprisonment each on charges of drug smuggling in accordance with article paragraph subparagraph of the Penal Code and in compliance with article and of the Code. pursuant to article of the Counter-Narcotics Law, three cell phones were confiscated and according to article of the Penal Code, the vehicle was also confiscated. In compliance with article of the Counter-Narcotics Law, the drugs were ordered to be eliminated.

Judgment Issued on January ١٦, ٢٠٢١

Thirty Years' Imprisonment on Charges of Trafficking ٥٤ Kilograms of Heroin, ٨٩ Kilograms of Opium and ١٣٢ Kilograms of Hashish

According to a report regarding the hidden drugs in a Pakistani truck, it was stopped in the area of Torkham port under the Investigation and Inquiry Unit's direction. The Counter-Narcotics Police Officers searched the vehicle and found drugs wrapped in black plastic bags. The vehicle's driver was arrested; thus, the case was submitted to the Primary Court of the Counter-Narcotics Justice Center. In the court hearing dated January , , in the presence of both parties, the defendant was sentenced to thirty years' imprisonment on charges of trafficking kilograms of heroin and morphine, in accordance with article paragraph subparagraph of the Penal Code, and on charges of trafficking kilograms of opium, he was sentenced to sixteen years' imprisonment in accordance with article paragraph subparagraph of the Penal Code. In addition, on charges of trafficking kilograms of hashish, he was sentenced to ten years' imprisonment in accordance with article paragraph subparagraph of the Penal Code. However, pursuant to article of the Penal Code, only the most severe punishment is applicable on the defendant, which is years' imprisonment including the detention period. Furthermore, pursuant to article of the Counter-Narcotics Law, two

cell phones with their SIM cards were confiscated and according to article of the Penal Code, the truck was also confiscated.

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

١. Report

The Appellate Court of the Counter-Narcotics Justice Center heard a total of drug-related criminal cases from December , to January , . A total of persons were arrested on charges of drug trafficking and smuggling, from which of them were acquitted due to lack of evidence and of them were tried and sentenced as below:

- Three months to one year’s imprisonment: persons;
- One year to five years’ imprisonment: persons;
- Five years to years’ imprisonment: persons;
- years to years’ imprisonment: persons;
- years to years’ imprisonment: persons.

In connection to the abovementioned trials the verdict has been issued to eliminate () kilograms and () liters of drugs of different types.

The total amount of fine is \$.

Chart number (٢) shows judicial performance of the Appellate Court of the Counter-Narcotics Justice Center from December ٢١, ٢٠٢٠ to January ١٩, ٢٠٢١

	Judicial Decision			
	Number of convicted	Prison Sentences		
		imprisonment three months to one years'	imprisonment - years'	imprisonment - years'
Fine Penalty				
Acquittal				
Number of accused				
Amount of items				
Number of cases				
Type of case				
SI number				

[SPECIAL BULLETIN OF THE SUPREME COURT]

	Methamphetamine	۷۳	۱۳۱.۷۵۸	۱۰	۷	\$۳۶۹۱	۹۳	۲	۳۰	۵۴	۶	۱
	Heroin	۲۳	۲۱۷.۶۴۶	۲۸		\$۶۴۷	۲۸		۱۳	۷	۴	۴
	Opium	۵	۳۲۳.۲	۹			۹			۸		۱
	Hashish	۶	۶۰۰.۵۳۹	۱۳		\$۹۰۶	۱۳	۱	۵	۶	۱	
	Morphine	۸	۸۰.۴۶۵	۱۸	۲	\$۳۸۸	۱۶		۲	۴	۷	۳
	Alcoholic Drinks	۲	۶۳۱۵ Liters	۴	۱		۳	۱		۲		
	Chemicals	۲	۳۳۹.۵ Liters	۴		\$۲۵۹	۴		۱	۳		
	Poppy and Henbane	۲	۷۴۰	۲			۲		۲			
Total		۱۲۱	۲۰۹۳.۶۰۸ kilograms and ۱۰۷۹.۵ Liters	۱۷۸	۱۰	۵۸۹۱	۱۶۸	۴	۵۳	۸۴	۱۸	۹

۲: The Appellate Court of the Counter-Narcotics Justice Center Sample Case Briefs

Judgment Issued on December ۲۳, ۲۰۲۰

Thirty Years' Imprisonment on Charges of Trafficking ۲۱ Grams of Morphine, ۴۲ and ۲۷.۹۷۹ Kilograms of Heroin

According to the Information and Inquiry Unit's report, the Badakhshan and Takhar Counter-Narcotics Police Officers found and kilograms of heroin separately in two vehicles, thus, the defendants were considered liable for prosecution. After that, based on a report of the Information and Inquiry Unit (IIU), the Officers of the Takhar Police Department arrested the traffickers' chief in Taloqan

city, thus the case was submitted to the Primary Court of the Counter-Narcotics Justice Center. In the court hearing dated November , , in the presence of both parties, the perpetrator of the crime was sentenced to thirty years' imprisonment on charges of trafficking kilograms of heroin in accordance with article paragraph subparagraph and in compliance with article of the Penal Code. On charges of trafficking kilograms of heroin, he was sentenced to sixteen years' imprisonment in accordance with article paragraph subparagraph and article of the Penal Code and in compliance with article of the mentioned Code. On charges of trafficking grams of morphine, he was sentenced to one years' imprisonment in accordance with article paragraph subparagraph and article of the Penal Code. However, pursuant to article and of the Penal Code, the most severe punishment will be imposed on the defendant, which is thirty years' imprisonment. On charges of smuggling an unlicensed vehicle, he was prohibited from leaving the country for a year, in accordance with article and in compliance with article paragraph and article of the Penal Code, and pursuant to article of the Penal Code and article of the Counter-Narcotics Law, the unlicensed vehicle and a cell phone with its SIM card was confiscated. In compliance with article of the Counter-Narcotics Law, the drugs were ordered to be eliminated. However, due to the defendant's objection, the case was brought to the Appellate Court of the Counter-Narcotics Justice Center. In the court hearing dated December , , in the presence of both parties, pursuant to article of the Criminal Procedure Code and article paragraph of the Counter-Narcotics Law, the Primary Court's judgment was affirmed.

Judgment Issued on December ٢١, ٢٠٢٠

Ten Years' Imprisonment on Charges of Trafficking ٥٢ Kilograms of Hashish

The Nangarhar Counter-Narcotics Police Officers who were on duty in Samar Khel checkpoint, stopped a vehicle and after searching it, they found hashish hidden in the car, thus, the driver and his companion was arrested. The net weight of the drug was kilograms, and the case was submitted to the Primary Court of the Counter-Narcotics Justice Center. In the court hearing dated

November , , in the presence of both parties, the defendants were sentenced to ten years' imprisonment each, including the detention period, on charges of trafficking kilograms of hashish in accordance with article paragraph subparagraph of the Penal Code. Furthermore, four cell phones with their SIM cards and AFN were confiscated in compliance with article of the Counter-Narcotics Law, and the vehicle was also confiscated according to article of the Penal Code. pursuant to article of the Counter-Narcotics Law, the drugs were ordered to be eliminated. However, due to the defendants' objection, the case was brought to the Appellate Court of the Counter-Narcotics Justice Center. In the court hearing dated December , , in the presence of both parties, pursuant to article of the Law on Organization and Jurisdiction of the Judiciary and article of the Criminal Procedure Code, the Primary Court's judgment was affirmed.

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Supreme Court

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