

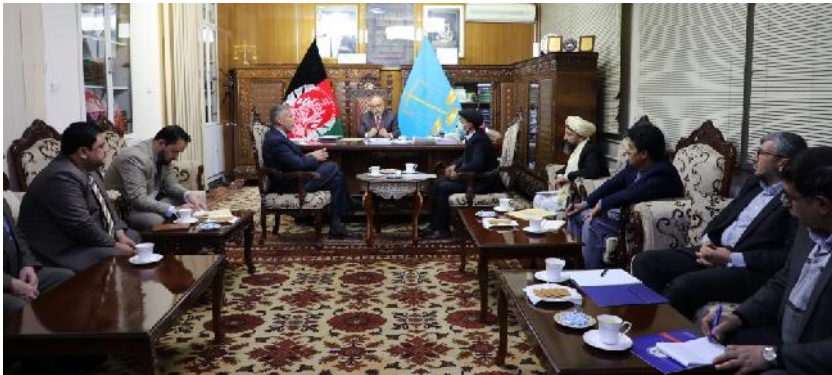
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Meetings and Session

The Chief Justice Meets with the General Director of the IDLO in Afghanistan

H.E. Sayed Yousuf Halim, the Chief Justice met with Mr. Raymond Micklewright, the General Director of International Development Law Organization (IDLO) in Afghanistan.



In this meeting, Mr. Micklewright provided information on the IDLO's cooperation with the judiciary in funding training programs for judges, capacity building programs and the judicial training course. He also presented the progress report on the project to reduce insecurity in the justice system which is funded by the U.S. State Department's Bureau of International Narcotics and Law Enforcement Affairs (INL).

Then, the Chief Justice expressed his gratitude for the continued cooperation of the IDLO with the judiciary and added that since the cooperation programs involve all three justice and judicial institutions, it is better to assess the needs in coordination with the institutions and use the allocated financial resources in a transparent way by signing a joint agreement.

Both parties discussed the mechanism of holding joint meetings of the IDLO with the justice and judicial institutions in order to utilize the resources wisely, and the revision of the project to reduce insecurity.

The High Council of the Supreme Court Sessions Report

The High Council of the Supreme Court held its regular session on March , , 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 work result of the joint technical team of the Supreme Court and the Non-Tax Revenue Department of the Ministry of Finance on the standardization of security deeds was heard. The new design of the deeds was reviewed and after due consideration and amendments in terms of simplicity, included information, form, type and required columns which would prevent forgery and fraud, it was approved.



- ❖ In accordance with the applicable laws, necessary instructions were provided regarding the instruction-demand of the Kabul Appellate Court pertaining to the preparation of the expropriated land deeds in accordance with the Regulation on Linear Land Expropriation Projects, the instruction-demand of the Public Land Usurpation Appellate Court concerning the civil and criminal aspects of land usurpation cases, the instruction-demand of the Ministry of Finance on determining the competent court in hearing the perishable goods trafficking cases, the Badghis Appellate Court's instruction-demand

regarding the authority to assign judges to hear overruled cases, and the instruction-demand of the Government Cases Directorate asking the court to grant an eviction order regarding a state-owned property in Bamiyan.

- ❖ Some civil and criminal cases were also included in the agenda, as to which necessary instructions were provided. Furthermore, at the request of the Attorney General's Office, the authority to try criminal cases was delegated to the Appellate Courts of Laghman, Takhar, Kapisa, Khost, Ghazni and Nimroz.

The Coordination and Monitoring Session Is Held on the IDLO's Assistance to the Justice and Judicial Institutions

The coordination meeting in order to organize the IDLO's assistance to the justice and judicial institutions was presided over by H.E. Sayed Yousuf Halim, the Chief Justice, with the participation of Fazel Ahmad



Manawi, the Minister of Justice and Qais Bawari, the Deputy Attorney General.

In this meeting, at first, Mr. Micklewright, the General Director of IDLO in Afghanistan gave information about the programs, resources, coordination framework and prioritization of assisted funds in the areas of justice and judicial institutions.

Then, the Chief Justice stated that needs diagnosis and transparent use of the assisted funds are extremely important in order to satisfy the financial and technical needs of the justice and judicial institutions. He added that the institutions should identify their high priority programs so that the assisted funds are utilized appropriately.

Later, Fazel Ahmad Manawi, the Minister of Justice and Qais Bawari, the Deputy Attorney General emphasized the importance of coordination between justice and judicial institutions in order to seek the international assistance and spoke on the mechanisms to ensure transparency and accountability.

At the meeting, it was decided to establish a joint technical and advisory committee in order to organize the IDLO's assisted funds so that actual needs are identified and opportunity is provided to reach a multilateral agreement regarding the project programs.

The Chief Justice and the Members of the High Council Planted Tree Saplings at the Supreme Court on the Occasion of National Arbor Day

Pursuant to the presidential decree which is issued to increase green space, promote new ways of planting and afforestation, and emphasize the importance of trees and forests in improving the environment and reducing air pollution by which March was declared as the national arbor day, H.E. Chief Justice Sayed Yousuf Halim and the members of the High Council of the Supreme Court planted several tree saplings at the Supreme Court compound.

The Chief Justice also instructed the General Administrative



Directorate of the Judiciary to initiate the process of planting saplings in provincial and central courts, and to take practical measures so as to maintain a healthy environment by irrigating and taking good care of saplings. H.E. the Chief Justice asked all judges and administrative staff of the judiciary to plant a tree sapling in accordance with the presidential decree, and to play their part in increasing green space.

The Training Program for Teachers, Correspondence and Administrative Staff Members of the Courts Was Held

The Case Management System Training of Trainers (CMS-ToT) Program was held in the International Business Hotel of Herat Province on February - , , with the financial support of the Justice Sector Support Program (JSSP), in which two CMS officers attended.

The training program focused on the definition of training, objectives of training programs, basic skills in the training programs, group work methods, characteristics of a good trainer, basics of educational psychology and educational goals.

The Judicial Statistics Database System Training Program was also held under the direction of the General Administrative Directorate of the Judiciary, according to the needs of the Policy Planning Directorate, on February - , , which was financially supported by the Adalat Project (Checchi), in which correspondence and administrative staff members of the Kabul Appellate Court attended.

The program focused on accessing the judicial statistics system, section's 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.

Furthermore, the training program on deeds and instruments registration, the procedure on court administration and organizational planning was held in the Park Star Hotel of Kabul on February - , , with the financial support of Adalat Project (Checchi), in which administrative staff of the Logar, Khost, Paktia and Paktika Appellate Courts 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, the deed's tariff

column, subject column, explanation column, paying the deeds' revenue, deeds of sale, deed of ownership and deed of will, which was presented by the Deeds Registry Subdirector of the Kabul Appellate Court.

The procedure on court administration concerned criminal and civil cases' folders, record book of court proceedings, distribution book, submission book of judges, and quarterly reporting form of civil and criminal proceedings, organizational planning, necessity of planning, importance of planning, history of planning, benefits and limitations of planning, principles of planning, types of planning, difference between strategic and operational planning, stages of planning, monitoring and evaluation indicators, situation analysis, analysis models: SWOT, PEST, Fishbone, McKinsey S, the four quadrants of the Eisenhower matrix and administrative correspondence, which was presented by the Capacity Building and Performance Evaluation Directorate's Instructor.

At the end of the Program, the Capacity Building and Performance Evaluation Director stated that the participants have benefited from the program in performing the activities related to deeds registry, implementing the procedure on court administration and organizational planning and emphasized the importance of timely performance, professional and appropriate treatment with the clients, and performance of activities in a transparent and accountable manner.

A Six-Day Seminar Is Held for the Eastern Zone Judges by the Judicial Training Directorate and the IDLO

On February 15, 2018, a six-day seminar on Human-Trafficking and other related crimes was conducted for 15 eastern zone judges by the Judicial Training Directorate and the IDLO.

At the end of the seminar, Justice Mufti Mohammad Wazir, the Head of the Nangarhar Appellate Court expressed his gratitude and considered the six-day seminar as constructive and beneficial for judges, adding that this type of seminars should be held more often. He also appreciated the instructors and participants for their active involvement and told them to share what they have learned with their colleagues.

In this seminar, which was attended by 15 eastern zone judges, the participants expressed their satisfaction with the seminar and promised to put learning into practice. At the end of the seminar, the participants were provided with certificates.

The Administrative Correspondence Training Programs Are Held for the Administrative Staff of the Supreme Court and Provincial Courts

As part of the training programs of the Capacity Building and Performance Evaluation Directorate, the administrative correspondence training programs were held on February , March , & , , in which administrative staff members of the Supreme Court and provincial courts of Kandahar, Helmand, Nimroz, Uruzgan, Zabul, Nangarhar, Kunar, Nuristan and Laghman attended.

The program focused on the legal basis of administrative correspondence, objectives of administrative correspondence guidelines, general principles of administrative correspondence, types of administrative correspondence, procedural conditions, substantive conditions, writing method and correspondence letters' samples, which was held online and in-person.

Judicial Performance Report of the Central and Provincial Courts Pertaining to Violence Against Women and Rape Cases from March , , to March ,

. Violence Against Women Cases

From March , , to March , , the central and provincial courts heard a total of cases of violence against women, for which persons were arrested on charges of violence against women; however, of them were acquitted due to lack of evidence and the others were convicted and sentenced as below:



- Death Penalty (Capital Punishment): persons;
- - years' imprisonment: persons;
- - years' imprisonment: persons;
- - years' imprisonment: persons;
- - years' imprisonment: persons;
- Three months to one year's imprisonment: persons;
- Fine Penalty: persons.

The following courts have heard the most cases of violence against women:

- Daikundi courts: cases
- Kabul courts: cases
- Takhar courts: cases

- Herat courts: cases
- Nangarhar courts: cases
- Baghlan courts: cases
- Badakhshan courts: cases
- Kunduz courts: cases
- Ghazni courts: cases
- Parwan courts: cases

The courts of Balkh, Sar-e-Pul, Faryab, Khost, Laghman, Samangan, Bamiyan, Nimroz, Badghis, Paktia, Kapisa, Helmand, Kandahar, Paktika, Maidan Wardak, Panjshir, Kunar, Ghor, Jawzjan, Zabul, Uruzgan and Logar provinces are placed second by hearing cases of violence against women.

It must be added that the Appellate Court of Nuristan didn't hear any cases of violence against women during this period.

. Rape Cases

From March , to March , the central and provincial courts heard a total of rape cases. persons were arrested on rape charges from which of them were acquitted due to lack of evidence and the others were convicted and sentenced as below:

- Death Penalty (Capital Punishment): persons;
- – years' imprisonment: persons;
- – years' imprisonment: persons;
- – years' imprisonment: persons;
- – years' imprisonment: persons;
- Three months to one year's imprisonment: persons;
- Fine penalty: persons.

The following courts have heard the most cases of violence against women:

- Balkh courts: cases
 - Takhar courts: cases
 - Kabul courts: cases
 - Parwan courts: cases
 - Nangarhar courts: cases
-



News and Events

- The administrative session of the Supreme Court was held on March , , which was presided over by Justice Jawed Rashidi, the Acting General Administrative Director of the Judiciary with the participation of central directors and the Kabul Appellate Court and Judicial Training Directorate's representatives. In this session, the agenda items were discussed about which necessary decisions were taken and the secretariat was instructed to circulate the decisions to the relevant departments for implementation.
- On the occasion of the four-day seminar's conclusion which was held in the Kefayat Hotel of Mazar-e-Sharif by the Capacity Building and Performance Evaluation Directorate for correspondence and administrative staff members of the Appellate Courts of Balkh, Sar-e-Pul, Jawzjan, Samangan and Baghlan provinces with regard to deeds preparation, letter writing and other administrative issues, Justice Abdul Wara Qayoumi, the Head of the Public Rights Division of the Balkh Appellate Court, attended the seminar on January , , and stated that such seminars are constructive and beneficial for administrative tasks.
- On January , , Justice Samargul Omar, the Head of the Kandahar Appellate Court met with the newly appointed Police Chief of the province. In this meeting, in which the Head of the Appellate Court was accompanied by the Heads of the Criminal and Juvenile Divisions along with the Criminal Division member, the newly appointed Police Chief was congratulated on his appointment and other issued of mutual interest were discussed. Both parties exchanged views on the security of judges and observing the rules and regulations during the crime detection phase. The newly appointed Police Chief expressed his gratitude and promised to try

his best in this regard by observing the law.

- The Anti-Harassment Committee Session of the Jawzjan Appellate Court was held on December , , and January , , which was presided over by Safiullah Waseq, the Correspondence Subdirector of the Appellate Court with the participation of female staff members. In these sessions, the agenda items were discussed and no complaint was submitted to the committee by female staff members.
- The training program on “Crimes Against Internal and External Security” was conducted from February to March , , by the Judicial Training Directorate with the financial assistance of the IDLO for days in Kabul, in which judges of the Herat, Farah, Ghor and Kabul Appellate Courts had attended. The program concluded after the distribution of certificates.
- On January , , Justice Mohammad Sharif Fani, the Head of the Herat Appellate Court, who was accompanied by Justice Faizullah Fayez, the Criminal Division Head of the Appellate Court and other judges, met with the newly appointed Prisons Administration Director of the province.

At first, the Prisons Administration Director reported the problems and challenges facing the prisons to the Head of the Court and presented some proposals for which he asked the court’s cooperation. Then, the Head of the Court welcomed the Prisons Administration Director and after hearing the problems, he promised to cooperate in order to overcome the challenges.

- On February , , based on a Balkh resident’s report and the efforts of the City Court, the Appellate Court and the Judicial Inspection Directorate, a suspect, who was under surveillance for one a half months, was arrested in connection with fraudulently receiving \$ and asking \$ from one of the case parties to resolve the case in his favor.
- On March , , Justice Samargul Omari, the Head of the Kandahar Appellate Court met in his office with the Head of the Appellate Prosecution Office and the Head of the Prosecution Office for Crimes Against Internal and External Security.

The purpose of the meeting was to address the problems. Justice

Samargul Omar stated that the prosecution office has to comply with the articles and of the Criminal Procedure Code regarding the writs issued by courts due to the investigation gaps. Both parties also spoke on other issues of mutual interest. Then, the heads of the prosecution offices promise that all proceedings will be conducted in compliance with the law.

- On January , , Justice Sebghatullah Mushfiq, the Head of the Jawzjan Appellate Court met in his office with Member of Parliament Mohammad Karim Jawzjani.

In this meeting, the Head of the Court welcomed Mr. Jawzjani, then Mr. Jawzjani expressed his gratitude for the Appellate Court's efforts and endeavors, and spoke on the problems of his clients, about which the Head of the Court provided necessary information. It was stated that anyone who has legal cases can refer to the court so that their cases are heard in accordance with the law.

- On January , , the session of the Instruction-Demands Committee of the Baghlan Appellate Court was held which was chaired by Justice Mohammad Hassan "Siddiqi", the Head of the Appellate Court, with the participation of committee members. In the session, according to the agenda, three issues were reviewed and discussed for which necessary instructions were provided and were referred to the relevant authorities.

- On March , , the planting ceremony of the national arbor day was held under the supervision of Justice Mohammad Hasan "Siddiqi", the Head of the Baghlan Appellate Court, in which the judicial and administrative staff of the court had participated. The Head of the Court planted the first sapling and encouraged the participants to plant tree saplings. A total of saplings were planted at the Appellate Court.

- On February , , Justice Sayed Abdul Qayum Kamali, the Head of the Badakhshan Appellate Court met in his office with Architect Wajid, the Urban Development and Land Director of the province.

In this meeting, at first, the Head of the Court welcomed the Urban Development and Land Director and expressed his gratitude for the prompt and timely cooperation and assistance of the Urban

Development and Land Directorate with the Court. Then, some of the problems were shared by Mr. Wajid and it was decided that a special meeting be held at the Appellate Court with the participation of the Justice Director, Government Cases Director and relevant judges, in order to take necessary decisions on the challenges.

- On February , , Justice Mohammad Shoaib “Ibrahimi”, the Head of the Balkh Appellate Court, met in his office with the members of the Access to Justice Network.

In this meeting, the Head of the Court welcomed them and stated that access to justice and transparent proceedings of the justice and judicial institutions are of utmost importance. Then, the meeting participants spoke on the issues of mutual interest and asked the Head of the Court to cooperate in recognizing the public’s right to access the courtroom in open trials. The Head of the Court assured them to cooperate in this regard in accordance with the law.

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 February to March , . A total of persons were arrested on charges of abuse of authority, bribery, embezzlement and forgery from which of them were acquitted due to lack of evidence and of them were convicted and sentenced as follows:



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

The total amount of fine is \$.

Chart Number () Shows the Number of Offenders Convicted by the Anti-Corruption Primary Court from February to March ,

No	Type of case	Number of cases	Judicial decision (Judgment)							
			No of the accused	Acquitted	No of convicts	Prison Sentences			Convicted of fine penalty	Fine penalty
						Three months to one year's imprisonment	- years' imprisonment	- years' imprisonment		
	Abuse of Authority									\$
	Bribery									\$
	Embezzlement									\$
	Forgery									
	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 February to March ,

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
	Forgery				Prosecutor's Office
	Embezzlement				Prosecutor's Office
	Bribery				Prosecutor's Office
	Non-Compliance with the Law				Prosecutor's Office
	Extortion				Prosecutor's Office
	Expungement				Prosecutor's Office
	Total				

. The Anti-Corruption Primary Court Sample Case Briefs

Judgment Issued on March , Conviction of the Director and Manager of the National Printing Office on Charges of Abuse of Authority

In , the National Printing Office signed a contract pertaining to raw materials for vehicle registration plates with the Afghan Traffic Company, which ended in . However, the contract was extended without bidding for another seven years. Furthermore, the contract of vehicle stickers was signed without the Traffic Department's order and without the presence of the Traffic Department's representative and other bidders. The stickers were not approved by the Traffic Department, and furthermore, the sticker accessories were purchased for AFN without bidding. The case was submitted to the Anti-Corruption Primary Court by the General Inspection Directorate. In the court hearing dated March , , in the presence of both parties, the former Director of the National Printing Office was found guilty in absentia pursuant to article of the Criminal Procedure Code on charges of abuse of authority and the Procurement Manager of the National Printing Office was also found guilty in compliance with article of the Criminal Procedure Code. Both were sentenced to one year and six months' imprisonment each and a fine of AFN in accordance with article and article paragraph of the Penal Code.

Judgment Issued on February , Conviction of the Parwan Appeals Prosecutor on Charges of Bribery

According to the report of a resident of Parwan to the Control and Surveillance Directorate of the Attorney General's Office, alleging that he was a victim of burglary and his case was pending in the prosecution office for six months. The prosecutor demanded a bribe of \$, but agreed to receive \$, for which the victim provided the prosecution office with the audio tape. The authorities took action and arrested the suspect with \$. The case was submitted to the

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 Appellate Court from February to March ,

No	Type of case	Number of cases	Number of the accused	Cause of the Writ	Relevant Authority
				Legal gaps and Defects	
	Bribery				Prosecution Office
	Embezzlement				Prosecution Office
	Forgery				Prosecution Office
Total					

**. The Anti-Corruption Appellate Court Sample Case Briefs
Judgment Issued on March ,
Conviction of the Stock Keeper of the Pul-e-Charkhi Prison’s Eleventh Block on Charges of Abuse of Authority**

Based on a report to the Internal Security Department, the Acting Commander of the Pul-e-Charkhi Prison’sth Block demanded AFN for providing a private room for one of the prisoners. After preparing a plan and marking the AFN bills, the suspect was arrested while receiving the marked bills and the case was submitted to the Anti-Corruption Primary Court. In the court hearing dated November , , in the presence of both parties, the stock keeper of the Pul-e-Charkhi Prison’sth block was sentenced to a fine of AFN and dismissal from duty on charges of abuse of authority in accordance with article of the Penal Code and in compliance with articles and of the Code. However, due to the objection of both parties, the case was brought to the Anti-Corruption Appellate Court. In the court hearing dated March , , pursuant to article of the Law on Organization and Jurisdiction of the Judiciary

and in the presence of both parties, the primary court's judgment was overturned and the stock keeper was sentenced as an accomplice to restitution of _____ AFN and dismissal from duty in accordance with article _____ of the Penal Code and in compliance with articles _____, _____, and _____ of the mentioned code. Furthermore, the Acting Commander of the Pul-e-Charkhi Prison's _____th Block was also considered liable for prosecution in accordance with article _____ of the Criminal Procedure Code as the main perpetrator.

Judgment Issued on March _____, _____ Conviction of the Commander and Stock keeper of the Kabul Police _____ Asmaei Zone's First Company on Charges of Non-Compliance with the Law and Embezzlement

According to the complaint of the Unit _____ of the Kabul Police Asmaei Zone Personnel regarding the lack of food, the Intelligence Department of the Kabul Police took action and weighed the meat in the presence of the officials. Thus, it turned out that _____ Kilograms of meat was missing. The suspects were identified and the case was submitted to the Anti-Corruption Primary Court. In the court hearing dated October _____, _____, in the presence of both parties, the stock keeper of the Kabul Police Unit _____ was sentenced to one year and six months' imprisonment and restitution of _____ AFN on charges of embezzlement in accordance with article _____ paragraph _____, article _____ paragraph _____, articles _____ and _____ of the Penal Code, and in compliance with articles _____ and _____ of the Code. Two other suspects were also considered liable for prosecution by the court, for which the in court hearing dated December _____, _____, one of the suspects who was the commander of the Kabul Police _____ Asmaei Zone's First Company, was sentenced to a fine of _____ AFN on charges of non-compliance with the law in accordance with article _____ paragraph _____ of the Penal Code and article _____ of the Criminal Procedure Code, in compliance with articles _____ and _____ of the Penal Code. Due to the defendant's objection, the case was brought to the Anti-Corruption Appellate Court. In the court hearing dated March _____, _____, in the presence of both parties, pursuant to article _____ of the Law on Organization and Jurisdiction of the Judiciary, the primary court's judgment was affirmed.

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

. Report

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

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

The total amount of fine is \$.

[SPECIAL BULLETIN OF THE SUPREME COURT]

No	Relevant Court	Type of case	Number of cases	No of the accused	Acquitted	No of convicts	Judgment				
							Imprisonment			Fine Penalty	Fine Amount
							imprisonment one year's	imprisonment three months to one year's	years' imprisonment		
	The Bamiyan Appellate Court's Public Security Division (Feb to Mar ,)	Abuse of Authority									\$
	The Bamiyan Primary Court's Public Security Division (Feb to Mar ,)	Abuse of Authority									\$
		Bribery									\$
		Embezzlement									
		Destruction of Official Documents									
	The Samangan Primary Court's Public Security Division (Feb to Mar ,)	Embezzlement									\$
		Treachery									
	The Paktia Primary Court's Public Security Division (Feb to Mar ,)	Bribery									
		Embezzlement									
		Extortion									
	The Paktia Appellate Court's Public Security Division (Feb to Mar ,)	Abuse of Authority									\$
		Embezzlement									\$
		Bribery									
Total											\$

**Sample Case Briefs of the Provincial Courts
Judgment Issued on February ,
Conviction of the Ahmad Abad District Prosecutor
of Paktia on Charges of Bribery**

A person was under investigation for a domestic violence case by the Ahmad Abad District Prosecutor and his brother offered a bribe to the prosecutor in order to release his brother on bail. The prosecutor accepted the offer and was arrested while receiving AFN as a bribe in the presence of the prosecution office representative, National Security Director Officers and the Police Chief representative. The case was submitted to the Public Security Division of the Paktia

Primary City Court. In the court hearing dated February , , in the presence of both parties, the defendant was sentenced to one year and one month's 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.

Judgment Issued on February , Conviction of Three Officers of the Balkh Police Department on Charges of Bribery

A person was on his way from Charkent District to Mazar-e-Sharif with his motorcycle when he was stopped and frisked by three police officers. The officers found a pistol from him and asked AFN in order to let him go, but they agreed on AFN. The person gave them AFN and promised to pay the remaining AFN the next day. The person reported the issue to the Criminal Department of the Police. The authorities took action and the person is provided with the marked bills. The three officers were arrested while receiving the marked bills and the case was submitted to the Public Security Division of the Balkh Primary Court. In the court hearing dated February , , in the presence of both parties, the defendants were sentenced to three months and ten days' imprisonment each and a fine of , AFN on charges of bribery in accordance with article paragraph subparagraph and article paragraph of the Penal Code and in compliance with articles and of the Code.

Judicial Performance Report of the Primary Court of the Anti-Corruption Justice Center

. Report

The Primary Court of the Anti-Corruption Justice Center heard a total of criminal cases related to corruption from March to December , . A total of persons have been arrested on charges of abuse of authority, bribery, embezzlement, and nonobservance, from which of them were acquitted due to lack of evidence and of them were convicted and sentenced as below:

- Three months to one year's imprisonment: persons;

[SPECIAL BULLETIN OF THE SUPREME COURT]

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

The total amount of fine is \$.

Chart Number () Shows the Primary Court of the Anti-Corruption Justice Center Performance from March to December ,

No	Type of case	Number of cases	Judicial decision (Judgment)						Convicted of fine penalty	Fine penalty
			No of the accused	Acquitted	No of convicts	Prison Sentences				
						Three months to one year's imprisonment	- years' imprisonment	- years' imprisonment		
	Abuse of Authority								\$	
	Bribery									
	Embezzlement									
	Non-observance									
	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 Primary Court of the Anti-Corruption Justice Center from March to December ,

No	Type of case	Number of cases	Number of the accused	Cause of the Writ	Relevant Authority
				Legal gaps and Defects	
	Abuse of Authority				Prosecution Office
	Embezzlement and Forgery				Prosecution Office
	Money Laundering				Prosecution Office
	Bribery				Prosecution Office
	Treachery				Prosecution Office
	Contempt of Order				Prosecution Office
	Total				

**. The Primary Court of the Anti-Corruption Justice Center Sample Case Briefs
Judgment Issued on February ,
Conviction of the Pashtany Bank’s CEO and Three Employees on Charges of Forgery and Embezzlement**

A person, as the chairman of Khosha Company, applied for a loan to Pashtany Bank and pledged \$ worth of property as collateral. The loan was granted by the former CEO of the bank and other officials for a period of three years. Due to default in payment, the foreclosure order was issued by the court. During the foreclosure, the owner of the property prevented the sale and claimed that the loan documents are forged. After adequate investigation, it was proved that the bank officials had forged the loan documents. The case was submitted to the Primary Court of the Anti-Corruption Justice Center. In the court hearing dated February , , in the presence of both parties, the former CEO of Pashtany Bank and his three accomplices were sentenced to five years and one month’s imprisonment each and restitution of \$ on charges of embezzlement in accordance with article of the Penal Code () and article of the Penal Code () in compliance with articles , and of the Code. The Former CEO of the Bank was also sentenced to six years and six months’ imprisonment on charges of forging deed of sale, power of attorney deed, the Khosha Company license, surety bonds, and ID card in accordance with article paragraph subparagraphs and of the Penal Code () in compliance with article of the Code (). Pursuant to article of the Penal Code () and in compliance with article of the Penal Code (), the applicable punishment on the former CEO is six years and six months’ imprisonment. The other three defendants were acquitted of the forgery and abuse of authority charges, due to lack of evidence in accordance with article of the Criminal Procedure Code.

Fight Against Drugs (Narcotics and Intoxicants)

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

. Report

The Primary Court of the Counter-Narcotics Justice Center heard a total of cases related to the drugs from February to March , . 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 convicted 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 with the abovementioned cases, it has been ordered to eliminate () kilograms and () liters of different types of drugs.

**: The Primary Court of the Counter-Narcotics
Justice Center Sample Case Briefs
Judgment Issued on March ,
Ten Years' Imprisonment on Charges of Possessing
Grams of Methamphetamine**

Based on the Information and Inquiry Unit's report to the Counter-Narcotics Branch of the Balkh Police Department, a suspicious person was spotted several times among drug addicts in the th District of Mazar-e-Sharif. The suspect was arrested and after frisking him, grams of methamphetamine was found. The case was submitted to the Primary Court of the Counter-Narcotics Justice Center. In the court hearing dated March , , in the presence of both parties, the defendant was sentenced to five years' imprisonment on drug possession charges in accordance with article paragraph subparagraph of the Penal Code and in compliance with article of the Counter-Narcotics Law. In addition, on charges of selling drugs to drug addicts, he was sentenced to five years and one month's imprisonment in accordance with article paragraph of the Penal Code and article of the Counter-Narcotics Law. Pursuant to article of the Penal Code, the applicable punishment is ten years and one month's imprisonment and according to article of the Counter-Narcotics Law, the drugs were ordered to be eliminated.

**Judgment Issued on March ,
Five Years' Imprisonment on Charges of
Trafficking and Possessing Grams of Hashish
and Grams of Methamphetamine**

Based on a report of the Pul-e-Charkhi Prison's th Block officer, a prisoner gave him AFN to submit it to another person who will approach him, in exchange for the drugs. Officials took action and under their surveillance, a former officer approached the officer who reported the crime and told him to collect the drugs from the restroom. grams of hashish and grams of methamphetamine was found from the restroom and two persons were arrested in connection with the crime. The case was submitted to the Primary Court of the Counter-Narcotics Justice Center. In the court hearing dated March ,

, in the presence of both parties, one of the defendants was sentenced to five years and six months' imprisonment on charges of trafficking grams of methamphetamine in accordance with article paragraph subparagraph of the Penal Code and in compliance with article of the Code, and on charges of trafficking grams of hashish, he was sentenced to one year's imprisonment in accordance with article paragraph subparagraph of the Penal Code and in compliance with article of the Code. Pursuant to articles and of the Penal Code, the applicable punishment is five years and six months' imprisonment. The other defendant was sentenced to five years' imprisonment on charges of possessing grams of methamphetamine and in accordance with article paragraph subparagraph of the Penal Code and article of the Counter-Narcotics Law, and on charges of possessing grams of hashish, he was sentenced to one year's imprisonment in accordance with article paragraph subparagraph and article of the Counter-Narcotics Law. Pursuant to article of the Penal Code, the applicable punishment is five years' imprisonment. According to article of the Counter-Narcotics Law, AFN and two cell phones with their SIM cards were confiscated and pursuant to article of the Law, the drugs were ordered to be eliminated.

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

. Report

The Appellate Court of the Counter-Narcotics Justice Center heard a total of drug-related criminal cases from February to March, . 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 convicted 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.
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[SPECIAL BULLETIN OF THE SUPREME COURT]

In connection with the abovementioned cases, judgments have been issued to eliminate () kilograms and () liters of different types of drugs.

The total amount of fine is \$.

Chart number () shows judicial performance of the Appellate Court of the Counter-Narcotics Justice Center from February to March ,

No.	Type of case	Number of cases	Amount of drugs	Number of accused	Judicial Decision						
					Acquittal	Fine Penalty	Number of convicted	Prison Sentences			
								one year's imprisonment	- years' imprisonment	- years' imprisonment	- years' imprisonment
	Methamphetamine				\$						
	Heroin				\$						
	Opium										
	Hashish										
	Morphine										
	Heroin and Poppy										
	Chemicals		Liters								
Total			kilograms and liters		\$						

**: The Appellate Court of the Counter-Narcotics
Justice Center Sample Case Briefs
Judgment Issued on March ,
Sixteen Years' Imprisonment on Charges of
Trafficking Kilograms of Methamphetamine**

Based on a report, the Khost Counter-Narcotics Police Officers arrested two suspects who had hidden drugs in a plastic bag. Then, the suspect's house was searched in which hand grenades, two magazines without bullets and bullets of AK- and PK machine gun were found and seized. The case was submitted to the Primary Court of the Counter-Narcotics Justice Center. In the court hearing dated February , , the defendants were sentenced to sixteen years' imprisonment each, on charges of trafficking kilograms of methamphetamine, in accordance with article paragraph subparagraph of the Penal Code and on charges of possessing firearms, one of them were acquitted due to lack of evidence and the firearms were confiscated. However, due to the objection of both parties, the case was submitted to the Appellate Court of the Counter-Narcotics Justice Center. In the court hearing dated March , , in the presence of both parties, pursuant to article of the Law on Organization and Jurisdiction of the Judiciary, article paragraph of the Counter-Narcotics Law and article paragraph of the Criminal Procedure Code, the Primary Court's judgement acquitting one of the defendants of the firearms possession charges was overturned. The defendants were sentenced to sixteen years' imprisonment each on charges of trafficking kilograms of methamphetamine in accordance with article paragraph subparagraph of the Penal Code and on charges of possessing firearms, they were sentenced to six months' imprisonment in accordance with article of the Penal Code. Furthermore, on charges of possessing five hand grenades, they were sentenced to five years and one month's imprisonment in accordance with article of the Penal Code. Pursuant to article of the Penal Code, the punishments shall be applied on them consecutively. In addition, according to article of the Penal Code, the firearms and hand grenades were ordered to be confiscated.

Judgment Issued on March , Eighteen Years' Imprisonment on Charges of Trafficking Kilograms of Heroin

Based on the Information and Inquiry Unit's report, two suspects were arrested by the Counter-Narcotics Police Department of Herat Province and kilograms of heroin was found from their vehicle. Later, the person who had hidden the drugs in the car was also arrested and the case was submitted to the Primary Court of the Counter-Narcotics Justice Center. In the court hearing dated February , , in the presence of both parties, two of the defendants were sentenced to eighteen years' imprisonment each, on charges of trafficking kilograms of heroin in accordance with article paragraph subparagraph of the Penal Code and in compliance with articles and of the Code. The other defendant was sentenced to eight years' imprisonment on charges of complicity in trafficking kilograms of heroin in accordance with article paragraph subparagraph of the Penal Code and in compliance with articles , and of the Penal Code, and on charges of trafficking conditional permissible goods, he was sentenced to six months' imprisonment, in accordance with article paragraph of the Penal Code. Pursuant to article of the Penal Code, the applicable punishment is eight years and six months' imprisonment. In accordance with article of the Counter-Narcotics Law, four cell phones with their SIM cards were confiscated and pursuant to article of the Penal Code, the vehicle (trailer) was also confiscated. In compliance with article of the Counter-Narcotics Law, the drugs were ordered to be eliminated and according to article of the Criminal Procedure Code, the other vehicle was restituted to its owner. However, due to the objection of both parties, the case was brought to the Appellate Court of the Counter-Narcotics Justice Center. In the court hearing dated March , , 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 with regard to the two of the defendants, but pertaining to the other defendant, it was overturned and he was

sentenced to eighteen years' imprisonment on charges of trafficking kilograms of heroin in accordance with article paragraph subparagraph of the Penal Code and in compliance with articles and of the Code, and on charges of trafficking conditional permissible goods, he was sentenced to six months' imprisonment in accordance with article of the Penal Code.

Judicial Performance Report of the Public Security Divisions of the Provincial Courts Pertaining to Drug-Related Cases

. Report

The Public Security Divisions of the Primary and Appellate Courts of the provinces heard a total of criminal cases pertaining to drug-related crimes. A total of persons have been arrested in connection with the drug-related cases from which of them were acquitted due to lack of evidence and of them were convicted 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;

In connection with the abovementioned cases, judgments have been issued to eliminate () kilograms of different types of drugs
The total amount of fine is \$.

[SPECIAL BULLETIN OF THE SUPREME COURT]

No	Relevant Court	Type drug being trafficked	Number of cases	Amount of drugs	No of the accused	Acquitted	No of convicts	Judicial decision (Judgment)			
								Prison Sentences			Fine penalty
								Three months to one year's imprisonment	imprisonment - years	- years imprisonment	
	The Kapisa Appellate Court's Public Security Division (Feb , to Mar)	Methamphetamine, Heroin, Opium and Hashish								\$	
Total										\$	

**Sample Case Briefs of the Provincial Courts
Judgment Issued on February ,
One Year and One Month's Imprisonment on
Charges of Trafficking Grams of Hashish**

A person who was transferring grams of hashish from Gardez to Shaikhan village was arrested and the case was submitted to the Paktia Primary Court. In the court hearing dated January , , in the presence of both parties, the defendant was acquitted of the drug dealing charges due to lack of evidence in accordance with article of the Penal Code and article of the Constitution. However, on charges of trafficking grams of hashish, he was sentenced to one year and one month's imprisonment in accordance with article paragraph subparagraph of the Penal Code. Due to the defendant's objection, the case was brought to the Paktia Appellate Court. In the court hearing dated February , , pursuant to article of the Law on Organization and Jurisdiction of the Judiciary and in compliance with article of the Criminal Procedure Code, the Primary Court's judgment was affirmed.

Judgment Issued on March , Three Years' Imprisonment on Charges of Trafficking Eight Kilograms of Hashish

Based on a report to the Samkanai District Police regarding a person who had hidden some drugs in his house, the officers took action and found hashish from the suspect's house. The suspect was arrested and the case was submitted to the Paktia Primary Court. In the court hearing dated January , , the defendant was sentenced to five years and one month's imprisonment in accordance with article paragraph of the Penal Code. In addition, pursuant to article of the Counter-Narcotics Law, the items used in crime was also confiscated. However, due to the defendant's objection, the case was brought to the Paktia Appellate Court. In the court hearing dated March , , in the presence of both parties, pursuant to article of the Law on Organization and Jurisdiction of the Judiciary and article paragraph of the Criminal Procedure Code, the Primary Court's judgment was amended and the defendant was sentenced to three years' imprisonment in accordance with article paragraph subparagraph and in compliance with article paragraph subparagraphs , and of the Penal Code.

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