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**Islamic Emirate of Afghanistan
Supreme Court
General Directorate of Secretariate
Correspondence Department
Resolutions Office
Circular Section**

S/No: 56

Date: 1444/11/24 A.H (13 June 2023)

To the Islamic Emirate of Afghanistan's Cassation Departments, Divisions, Appellate, and Primary Courts:

Peace, mercy, and blessings of Allah be upon you!

After Salutation: Pursuant to circular no. (9) dated 1/27/1444 A.H. (24 August 2022) from the General Directorate of the Supreme Court, we write the following:

Based on the directive from the High Council's meeting of the Supreme Court, communicated through circular no. (9) dated 27/1/1444 AH (24 August 2022), certain issues were shared with the honorable leadership of the Islamic Emirate of Afghanistan.

One of the aforementioned topics concerned the appointment of court-appointed representatives, and guidance from the honorable leadership in this regard was dispatched to all courts via circular no. (9) from the General Secretariate of the Supreme Court on 27/1/1444 - 24 August 2022. Subsequently, the appeals court of Kandahar Province inquired of the Central Dar al-Ifta, asking whether a judge could appoint a court-appointed representative for a person outside the jurisdictional region of the judge. In this regard, Fatwa No. (795) dated 9/2/1444-02 A.H. - September 2022 was presented to the honorable leadership of the Islamic Emirate of Afghanistan, and his excellency provided direction to the Central Dar al-Ifta as follows:

"Send this fatwa to the Supreme Court and take their opinion, and then send it along with the opinion." According to the guidance provided above by the Honorable Leadership, the Fatwa was submitted to the Honorable Leadership of the Supreme Court, and the opinion of the Supreme Court was conveyed by the Chief of Staff of the Supreme Court through Letter No. (202) dated 13/7/1444 A.H. - 06 February 2023, and presented to the honorable leadership of the Islamic Emirate of Afghanistan. The honorable leadership issued the following direction through Order No. (2923) dated 18/8/1444 - 10 March 2023:

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"Acknowledged.

Peace, mercy, and blessings of Allah be upon you!

After Salutation: You should assign a commission to collect detailed information about the Court-appointed Representative in Imam Azam Abu Hanifah and Imam al-Shāfi'i schools of thought's authentic books and send the information to us for a final decision."

Based on the written instruction of the Honorable Leadership of the Islamic Emirate of Afghanistan, the issue was presented to the Honorable Leadership after thorough diligence and review through letter no. (4079) dated 1444/11/19 A.H. - 07 June 2023, corresponding to 1402/03/18 H.S. The verbatim text of the order and instructions is as follows:

"Acknowledged.

Peace, mercy, and blessings of Allah be upon you!

After Salutation: Currently, the practice follows the sect of Imam Abu Hanifa (Allah's mercy be upon him), and there is no favorable ground for practicing the sect of Imam al-Shāfi'i (Allah's mercy be upon him).

The guidance of the honorable leadership of the Islamic Emirate of Afghanistan has been dispatched to the Supreme Court Departments, Cassation Departments, Divisions, Appellate, and Primary Courts to execute appropriate actions. This is based on letter number (82/25) dated 1439/09/23 A.H. – 06 June 2018 from the General Administration Office of Courts, following all steps about the court-appointed representative and taking into account the above-written guidance of the Honorable Leadership of the Islamic Emirate of Afghanistan."

Wa Salaam,

Mufti Abdul Rasheed Saeed
General Director of the Secretariat of the Supreme Court