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In the name of Allah, the most merciful and the most compassionate

**Islamic Emirate of Afghanistan**  
**Supreme Court**  
**General Directorate of Secretariate**  
**Correspondence Sub-directorate**  
**Circulars' Section**

S/No: 9

Date: 1/3/1445 AH – 16/Sep/2023

To the Cassation, Divisions, Appellate, and Primary Courts of the Islamic Emirate of Afghanistan!

Peace be upon you and Allah's mercy and blessings!

Subsequently, the Supreme Council of the Supreme Court of the Islamic Emirate of Afghanistan under the leadership of the Honorable Chief Justice and the Head of the Supreme Court was held on 20/1/1445 AH - 7 August 2023. The twelfth subject of the council was as follows: (Letter No. (109)) of the General Directorate of Legislation and Scientific and Legal Research of the Ministry of Justice of the Islamic Emirate of Afghanistan was received by us on 18/12/1444 AH – 7 July 2023 which is summarized as follows:

((The first period of the internship program for defense lawyers, including (161) interns from different provinces, is going on. Based on the frequent requests of these interns, they have been insisting on providing the participation of the defense lawyers in the judicial sessions of the courts in their respective provinces to learn the proceedings of the courts.))

Approval No. (2) of the Supreme Council of the Supreme Court dated 20/1/1445 AH - 7 August 2023 has given the following guidance on the above-mentioned subject based on the 12th decision:

((Defense lawyers can only participate in court hearings when they are originally the claimant or have been appointed as a lawyer by the claimant, or who are themselves the original defendant or have been appointed as a lawyer by the defendant. Apart from these cases, the participation of defense lawyers in the judicial sessions of the courts is not procedurally correct.))

This document was translated by the International Development Law Organization (IDLO) for the Afghanistan Rule of Law Observatory (ARLO) initiative. To find out more about ARLO, please visit our website at [www.arlo.online](http://www.arlo.online).

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The written guidance of the Supreme Council of the Supreme Court of the Islamic Emirate of Afghanistan with this circular was sent to the Islamic Emirate of Afghanistan's Cassation, Divisions, Appellate, and Primary Courts so that appropriate actions are taken in accordance with this guidance.

Regards

Mufti Abdul Rashid Saeed  
General Directorate of the Secretariat of the Supreme Court