

**Disclaimer:** This is an unofficial translation of an official document and is not endorsed or approved by any government agency. Every effort has been made to ensure accuracy however, some inaccuracies or differences in wording may exist.

---

**Islamic Emirate of Afghanistan**  
**Supreme Court**  
**General Directorate of Secretariat**  
**Correspondence Department**  
**Circular Section**

Circular No: 2

Date: August 25, 2023 (1445/2/8)

---

**To:** Officials of the Directorates of Cassations, Divisions, Appellate, and Primary Courts of the Islamic Emirate of Afghanistan!

May Peace and Mercy and Blessings of Allah be Upon You!

The High Council of the Supreme Court of the Islamic Emirate of Afghanistan provided the following directions under decision no (5) of approval no (43) in its session dated June 14, 2023 (25/11/1444) regarding how the clients refer to the Directorate of Documents and Deeds Registration of Kabul Province and how to solve their problems: (an extraordinary meeting of the Supreme Council of the Supreme Court should be held tomorrow, Thursday, June 15, 2023 (26/11/1444) regarding solving the problems of the clients of the Directorate of Documents and Deeds Registration of Kabul Province, and the head of the Appeal Court of Kabul Province should also be invited to the meeting. The principles and rules must be developed for the above-mentioned issue so that caution is observed in its implementation and clients' problems are solved).

The extraordinary session of the High Council with the participation of the head of the Appeals Court of Kabul Province was held for the clients of the Directorate of Documents and Deeds Registration of Kabul Province and solve their problems on June 15, 2023 (26/11/1444) and the direction issued is as following:

The following commission should be established regarding solving the problems of the clients of the Directorate of Documents and Deeds Registration of Kabul Province: The commission should be under the chairmanship of the Head of the Kabul Provincial Court of Appeals with the membership of the Mufti of the Civil Court of Appeals and the Mufti of the Commercial Court of Kabul Province in Kabul and under the chairmanship of the Head of the provincial appeals court, with the membership of the mufti of the civil court and the mufti of the commercial court of that province in provinces. Where there is no commercial court, a commission should be formed with the participation of the mufti of the public security court of that province. The above-mentioned commission should observe the following points:

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).

**Disclaimer:** This is an unofficial translation of an official document and is not endorsed or approved by any government agency. Every effort has been made to ensure accuracy however, some inaccuracies or differences in wording may exist.

---

### **Process of Correction, Amendment, and Conversion of Deeds and Documents:**

- 1- Applicants must submit their petitions for the correction, amendment, and conversion of deeds and documents to the Department of Documents and Deeds Registration in the relevant province and to the district court if the case pertains to a specific district. The relevant department and court are those under whose jurisdiction the property listed in the deed falls.
- 2- The designated department or court will forward the petition to the appropriate provincial appeals court.
- 3- The provincial appeals court must then send the petition to the Deed and Documents Registration Department to gather the necessary information.
- 4- The Deed and Documents Registration Department should draft a statement and opinion, submitting these to the presiding authority of the appeals court.
- 5- The provincial Appellate Court should forward the received information to a selected commission. This commission will review the information provided by the Deed and Documents Registration Department. If any issues are noted, the commission will refer them to the relevant authority for investigation. If no issues are found, the commission will issue a ruling on the corrections, amendments, and conversions, citing its rationale in the revised ruling. This ruling is then sent back to the Deed and Documents Registration Department.
- 6- The Deed and Documents Registration Department will send the finalized ruling to the aforementioned commission for signature. Once signed, the ruling is forwarded to the relevant authority.

### **The Process of Issuing a Ruling on the Authenticity and Validity of Deeds and Documents:**

- 1- The court requesting the authenticity of the document should send its written official letter regarding confirmation of the validity of the document to the Deed and Documents Registration Department of the relevant province and the relevant district court if it is related to the district. Of course, the relevant department and court refer to the department and court that the property listed in the document is in its jurisdiction.
- 2- The department or the relevant court shall refer the petition of the applicant to the appeal court of that province.
- 3- The provincial appellate court should send the above letter to the relevant Deed and Documents Registration Department for obtaining information.
- 4- The relevant Deed and Documents Registration Department should submit its detailed statement about the validity of the deed and document to the relevant appellate court.
- 5- The relevant appellate court should send the mentioned information to the selected commission. The mentioned commission should review the information of the Deed and Documents Registration Department. If there is

**Disclaimer:** This is an unofficial translation of an official document and is not endorsed or approved by any government agency. Every effort has been made to ensure accuracy however, some inaccuracies or differences in wording may exist.

---

not any issue, send it to the related authority for investigation, and if there is not any problem, issue the ruling on the authenticity of the document and then send it to the related court. The relevant court will issue a ruling on the authenticity of the document and then send it to the related court. The relevant court will issue the ruling on the authenticity of the document. Of course, the reasoning of the Deed and Documents Registration Department should be mentioned in the ruling and then sent to the commission for signature.

**Note:** When a court or authority requests information concerning document registration from the relevant Deeds and Documents Registration Department, the department is obligated to confirm the existence or absence of such a record. If a record exists and discrepancies are found in the document—be it in the number, date, name, or any other section—these should be noted. However, the department should refrain from elaborating on the specifics of these discrepancies, such as the number, date, name, or the number of judges' signatures. Instead, it should simply indicate that a discrepancy exists in the name, number, date, etc.

Consequently, this directive from the High Council of the Supreme Court has been disseminated to all pertinent Directorates of Cassation, Divisions, Appellate, and Primary Courts so that legal and Sharia proceedings align with the above guidelines.

Respectfully,

Mufti Abdul Rasheed “Saeed”

General Director of the Secretariat of the Supreme Court