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

Circular No: 6

Date: September 4, 2023 (1445/2/18)

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

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

The High Council of the Supreme Court convened on August 7, 2023 (20/1/1445), chaired by the Chief Justice and Head of the Supreme Court. The fifth agenda item of the meeting addressed inquiries received from various courts. One such inquiry was: In cases where a citizen files a complaint against another citizen for a criminal act committed outside the country, such as a murder in Pakistan or Iran, which court has jurisdiction? Is it the court of the plaintiff's permanent or current residence, the court of the defendant's permanent or current residence, or the court where the arrest took place?

Under Decision No. 5, dated August 7, 2023 (20/1/1445), the High Council of the Supreme Court issued the following directive:

"If a citizen files a complaint against another citizen for a criminal act committed outside the country, and the accused is apprehended within the country, the court where the accused was arrested will have jurisdiction over the case."

This directive has been disseminated to all relevant Directorates of Cassations, Divisions, Appellate, and Primary Courts to ensure that legal and Sharia proceedings are conducted in alignment with the aforementioned guidance.

Respectfully,

Mufti Abdul Rasheed Saeed

General Director of the Secretariat of the Supreme Court