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Islamic Emirate of Afghanistan

Dec 5, 2022

The plan to transfer the Department of Law from the Ministry of Justice to the Supreme Court

On October 23, 2022, according to decree number 299 of the Supreme Leader of the Islamic Emirate of Afghanistan, to ensure good governance of Islamic Shari'a, coordinate and work efficiently, implement court decisions, verdicts, and orders quickly, and protect the rights of the nation in the best possible way, this plan is submitted to the

Supreme Leader for approval.

Article 1:

The legal directorate in the Ministry of Justice continues to exercise all its fundamental powers within the framework of the Supreme Court's establishment, in addition to its fundamental powers.

The Supreme Court must coordinate with the Ministry of Justice and other relevant institutions to approve and finalize the relevant basic documents as soon as possible, based on the resolution of Amirul Momineen No. 1444/03/28 - 2022/10/23.

Budget

Article 2:

The Ministry of Finance is obliged to adjust and transfer the remaining budget of the Ministry of Justice from the fiscal year 2022-1401 to the budget of the Supreme Court.

The Ministries of Finance and Justice and the Supreme Court are obliged to use all arrangements for the transfer of funds to prevent delays in distributing salaries to the Salary Department's employees.

The fate of the formation and staff

Article 3:

The central and provincial formation of the Law Department in 1401, along with all specialized and service staff, is entirely transferred to the framework of the central and provincial formations of the Supreme Court.

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Transfer of assets and documents

Article 4:

The following committee, chaired by the Administrative Deputy of the Supreme Court, has been formed to take necessary measures to transfer all resources, vehicles, goods, official documents, and related files from the Ministry of Justice to the Supreme Court:

1. Financial and administrative deputy of the Ministry of Justice as a member;
2. Financial and administrative head of the Supreme Court as a member;
3. Head of Law of the Ministry of Justice as a member;
4. Financial and administrative head of the Ministry of Justice as a member;
5. Head of human resources of the Supreme Court as a member;
6. Head of human resources of the Ministry of Justice as a member;
7. Competent representatives of the Ministry of Finance as members;
8. Competent representative of the Administrative and Civil Reforms Department as a member;

The committee shall form a working group to transfer the documents and files according to its vision. The committee must list all resources, vehicles, goods, and official documents of the Law Department after the agreement of the competent authorities of both institutions. The committee is obliged to complete the transfer process within two months.

Execution

Article Five:

This plan is implemented with the approval of His Highness Amir al Momenin, may God protect him. Relevant ministries and agencies must take the necessary principled measures in the section.

The delegation of the plan to transfer the Law Department from the Ministry of Justice to the Supreme Court:

1. Sheikh Al-Hadith Noorul Haq Anwar: Acting Head of the Department of Affairs and Head of the Delegation.

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2. Mufti Hizballah Ebrahimi: Head of Audit and Studies of the Supreme Court of the Islamic Emirate of Afghanistan and a member of the delegation.
3. Mawlawi Abdullah Kalif: Chief Justice of the Ministry of Justice and a member of the delegation.
4. Mufti Rahmatullah Halim: Head of Human Resources of the Ministry of Justice and a member of the delegation.
5. Mawlawi Abdul Karim Karimi: Auditor and member of the delegation of the Department of Audit and Studies