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

Circular No: 58

Date: 8 July 2023 (1444/12/20 A.H)

To: Officials of the Directorates of Tamizs, Diwans, Appeal and Primary Courts of the Islamic Emirate of Afghanistan

May peace, mercy, and blessings of Allah be upon you!

And then, several Afghan prisoners were handed over to the Islamic Emirate of Afghanistan by the Iranian government in a joint legal and judicial cooperation meeting conducted between the Islamic Emirate of Afghanistan and the Islamic Republic of Iran. The government of Iran detained the mentioned prisoners for committing different crimes such as theft, narcotics, human trafficking, sodomy, alcoholic beverages, murder, fake documents, forged money, and unauthorized entrance. The courts sentenced them to various punishments like, from one year to 46 years of imprisonment, some were sentenced to 13 or 71 whips, and some were sentenced to execution.

The Directorate of Prisoners Affairs has handed over the mentioned prisoners to the Islamic Emirate of Afghanistan courts in the three provinces of Herat, Farah, and Nimroz. Since the place of crime commitment is in Iran and the mentioned prisoners have been sentenced to various punishments by the government of Iran, therefore, the Supreme Court had referred this issue to the Supreme Leader of the Islamic Emirate of Afghanistan to have his guidance on how to proceed with the mentioned prisoners?

Decree No. (45) dated 27 June 2023 (1444/ 12/8 A.H) of the Supreme Leader of the Islamic Emirate of Afghanistan has been received regarding this issue which the Dari translation is as follows:

((To: The Directorate of Prisons' Affairs!

May peace, mercy, and blessings of Allah be upon you!

The prisoners handed over from Iran should be transferred from the border provinces to their related prisons. The prisoners sentenced to death and retribution should be kept for some time, and those sentenced to imprisonment should be handed over to the relevant courts.)).

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Therefore, based on the direction of the Supreme Court of the Islamic Emirate of Afghanistan, the written verdict of the Supreme Leader of the Islamic Emirate of Afghanistan should be attached to this circular and be sent to all directorates of Supreme Court, Tamiz, Divans, Appeal and Primary Courts of Islamic Emirate of Afghanistan so that the related courts give priority to the mentioned cases after receiving them from the Committee for the Transfer of Convicts according to circular No. (2) dated 31 July 2023 (1444/1/2 A.H) of the General Directorate of Secretariat of the Supreme Court.

Respectfully,

Mufti Abdul Rasheed “Saeed”

Head of the General Directorate of Secretariat, Supreme Court