

Islamic Emirate of Afghanistan

General Directorate of Monitoring and Follow-up of Decrees and Orders

Office of the Chief of Staff

Circular no.: 1

Date: 14 August 2023 (27/1/1445)

Under the approved organizational structure for the year 2023 (1402), the following entities have been established: at the central level, the General Directorate for Analysis and Follow-Up of Administrative Corruption; within provincial civil and military directorates, including Corps under the Ministry of National Defense, the Sub-Directorate for Analysis and Follow-Up of Administrative Corruption; and within the Sub-Directorates for Oversight over Intelligence and Police Affairs in the provinces, the Technical Members' Board for Analysis and Follow-Up of Administrative Corruption. These entities are aimed at adjudicating supervisory cases requiring judicial decisions. Therefore, to enhance the implementation of the Law on Duties and Authorities of the General Directorate of Monitoring and Follow-up of Decrees and Orders and to standardize working relationships with the courts of the Islamic Emirate of Afghanistan, all directorates and sub-directorates, both civil and military, are hereby instructed as follows:

- 1- The Center-based Sectoral Directorates, including civil and military directorates, shall, when detecting transgression from the provisions of the enforceable legislative documents in the ministries, independent entities, and the private sector associated with Emirate institutions, refer the crime-related testimonies, evidence, documents and other evidentiary proofs together with file prepared in accordance with Paragraph 2 of the article 12 of Law of General Directorate of Monitoring and Follow up of Decrees and Orders through ruling to the General Directorate for Analysis and Follow Up of Administrative Corruption.
- 2- Provincial directorates and sub-directorates, both civil and military, shall, when detecting infractions of the provisions of the enforceable legislative documents, refer the relevant case file through ruling to the sub-directorate/Technical Members of the relevant directorate/sub-directorate of Monitoring and Follow-up of Administrative Corruption.
- 3- When the District level sub-directorates of Analysis and Follow-up of Decrees and Orders detect and ascertain infractions of the provisions of the enforced legislative documents during supervision, they, too, shall refer relevant case files through ruling to the sub-directorate of Analysis and Follow-up of Administrative Corruption of the Civil Directorate of the relevant province per paragraph 1 of this circular.

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- 4- The General Directorate of Analysis and Follow-Up of Administrative Corruption in the center, as well as provincial Sub-directorates and the boards of technical civil and military members of Analysis and Follow-Up of Administrative Corruption, shall analyze and decide as follows concerning the files arrived:
 - 1- Where the crime-related testimonies, documents, evidence, and other evidentiary proofs have been collected in light of the provisions of Law on Duties and Authorities of the General Directorate of Monitoring and Follow-up of Decrees and Orders, they shall refer the case to the competent authority for judicial decision and shall participate in the judicial hearing if requested by the courts.
 - 2- If sufficient documentation and evidence related to a crime are lacking, or if a ruling has not been issued in compliance with legal provisions, a revised ruling addressing these deficiencies shall be issued, and the documents will be returned to the relevant directorate.
 - 3- In instances where no crime has been committed and the Technical Members of the relevant directorate/sub-directorate find the trial proceedings unjustifiable, a decision to preserve the documents will be made. The file will then be forwarded to the General Directorate of Scrutiny and Studies for verification and review.

Regards,

Mawlawi Shamsuddin “Shariati”

Acting General Director of Monitoring and Follow-up of Decrees and Orders