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

Circular No: 11

Date: 28 August 2022 (1444/1/30)

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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!

And then, the High Council of the Supreme Court held a meeting on 3 August 2022 (1444/1/5) under the chairmanship of His Excellency Sheikh Abdul Hakim al-Haqqani, the Chief Justice with the participation of the High Council members, the heads of the Central Courts, and the heads of the Central Judicial Directorates of the Supreme Court. Based on decision No (3) dated 3 August 2022 (1444/1/5), the High Council decided to share some issues with the Supreme Leader of the Islamic Emirate of Afghanistan. As per the above decision, the mentioned issues were shared with the Supreme Leader of the Islamic Emirate of Afghanistan; its eleventh subject matter was as follows:

((When a final decision is made about an issue in the courts of the Islamic Emirate and one of the parties to the lawsuit wants to appeal, how long is the appeal period, and to which authority the appealing petition should be submitted? We are requesting your direction regarding this issue.))

The Supreme Leader of the Islamic Emirate of Afghanistan provided guidance regarding decision number 11: ((When the final decision is made in the courts of the Islamic Emirate, it should be implemented within (3) days after the announcement by the Cassations Court.

If one of the parties to the case wants to appeal the final decision, he/she should submit his/her petition to the Supreme Court High Council Secretariat within three (3) days after the announcement of the decision. The General Directorate of the Supreme Court Secretariat will ask for the reasons for appealing through an inquiry letter and raise the matter in the High Council. As a result, will it be clear whether the issue can be appealable or not?

The Supreme Court should prioritize appealing issues and finish them within one month.

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If a party is satisfied with the final decision and requests enforcement of the decision, in this case, the General Directorate of Cassations will give an order to execute it provided that the execution of the decision is suspended for a period of (3) days, and the information should be requested from the Petitions Office of the Supreme Leader of the Islamic Emirate of Afghanistan and the Supreme Court High Council Secretariat that whether the unsatisfied party has asked for appealing or not.

If it is found, based on the information, that the unsatisfied party does not want to appeal, the decision should be executed. If the appeal was made, then the execution of the decision will be suspended until the appeal process is finalized. If the appeal is against the final decisions of the previous administration, the execution of the decision will be suspended until the rejection or approval of the appeal.

Therefore, this directive from the High Council of the Supreme Court regarding the eleventh subject matter of the meeting mentioned above has been relayed to all relevant Directorates of Cassations, Divisions, Appellate, and Primary Courts so that the legal and Sharia proceedings will be made in accordance with the direction mentioned above.

Respectfully,

Mufti Abdul Rasheed Saeed  
General Director of the Secretariat