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

Circular No: 31

Date: 1444/4/18 AH – 13/November/2022

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

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

In accordance with the directives of the Supreme Leader of the Islamic Emirate of Afghanistan, a judicial committee was established to evaluate the definitive and final decisions from the previous administration in each province. The operational procedure for this committee was disseminated to all courts following the approval of the Supreme Leader of the Islamic Emirate of Afghanistan, as outlined in Circular No. 13 dated 2nd month, 2nd day, 1444 AH – 29th August 2022, issued by the Supreme Court High Council Secretariat. This procedure specifically addresses the review of unimplemented definitive and final decisions of the previous administration, as mentioned in Article 10 of said procedure.

The Supreme Leader of the Islamic Emirate of Afghanistan has verbally instructed the Supreme Court to proceed as follows with the remaining cases from the previous administration:

"Cases that have undergone only preliminary steps, or have progressed through both preliminary and appellate stages, or have reached the preliminary, appellate, and Cassation stages but remain unimplemented, and where the convicted person either seeks an appeal or requests implementation, shall be handled as follows: Lawsuit cases, in all aforementioned scenarios, should be referred by the appellate courts to the respective provincial judicial committee, as per Article 12 of the aforementioned procedure.

The provincial judicial committee is tasked with reviewing these cases in accordance with the established procedure. Should the decisions of the courts from the previous administration align with the principles of Sharia, they are to be upheld. Conversely, if they do not conform to Sharia principles, the committee is authorized to annul them, summon the involved parties, and render a final decision in accordance with Sharia principles, forwarding it to the relevant authority for implementation.

Thus, the directive of the Supreme Leader of the Islamic Emirate of Afghanistan is hereby communicated to all relevant Directorates of Cassations, Divisions, Appellate,

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and Primary Courts through this circular. It is imperative that legal and Sharia proceedings are conducted in line with the aforementioned instructions.

Respectfully,

Mufti Abdul Rasheed Saeed  
General Director of the Secretariat  
The Supreme Court