

Disclaimer: This is an unofficial translation of an official document and is not endorsed or approved by any government agency. Every effort has been made to ensure accuracy however, some inaccuracies or differences in wording may exist.

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

Circular No: 24

Date: October 6, 2022 (1444/3/10)

To: Officials 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, the High Council of the Supreme Court held a meeting on September 20, 2022 (1444/ 2/24) under the chairmanship of his Excellency Sheikh Abdul Hakim al-Haqqani, the Chief Justice that the third subject matter of the meeting agenda was as following:

(What action should the courts take regarding usurped Emirate Lands?)

The Supreme Leader of Islamic Emirate of Afghanistan provided the following directions based on the decision no (6) of the resolution no (3) dated September 20, 2022 (1444/ 2/24):

((When the issue of land dispute is referred to the court, the court should first request information regarding disputed land from the Directorate of Emirate Cases and ensure that the land is not belonging to Emirate. When it became clear that the land is not belonging to Emirate, then, court should issue sharia based decision in this regard. if the land is related to Emirate, in this case, required actions should be taken to prevent from the usurpation of the Emirate lands.))

Therefore, the third decision of the above resolution of the High Council of the Supreme Court has been relayed to all relevant Directorates of Cassations, Divisions, Appellate, and Primary Courts through this circular so that the legal and Sharia proceedings will be made in accordance with the aforementioned direction.

Respectfully,

Mufti Abdul Rasheed “Saeed”

Head of Supreme Court High Council Secretariat

This document was translated by the International Development Law Organization (IDLO) for the Afghanistan Rule of Law Observatory (ARLO) initiative. To find out more about ARLO, please visit our website at www.arlo.online.