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

Circular No: 14

Date: September 1, 2022 (1444/2/4 AH)

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

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

His Excellency, Chief Justice Sheikh Abdul Hakim al-Haqqani, provided comprehensive directions to the heads of appellate and civil courts during his speech on the closing day of the seminar, the summary of which is as follows:

- 1- The primary courts are required to submit their inquiries and suggestions in writing to the Supreme Court via the appellate courts. The appellate courts are to conduct the proceedings within their jurisdiction and forward those beyond their jurisdiction to the Supreme Court in writing. Additionally, the zones' Military and Appellate Courts should also direct their inquiries and suggestions to the Supreme Court in writing.
- 2- Decisions that are final at the preliminary or appellate stage must be referred to the relevant Cassation Court, enabling it to issue an implementation order and archive the decision.
- 3- The Cassation Court issues the order to implement the decision, and the general directorate of the Cassation Court shall specify in its letter the authority to which the decision is referred for implementation. Efforts will be made to address and prevent delays resulting from this process.
- 4- Many courts experience delays in their proceedings. For instance, the High Council Secretariat of the Supreme Court created a telegram group on February 2, 2022 (1443/7/1 AH), disseminating the link and guidelines to all courts within the Islamic Emirate of Afghanistan for the participation of all judicial officials. Yet, over half of the judicial employees did not join the telegram group managed by the general directorate of the High Council Secretariat. Similarly, a request for a list of prisoners was sent to all courts a month ago, with many not yet complying. Hence, all courts are required to execute their responsibilities promptly and without delays.

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- 5- In accordance with Circular No. (19) dated July 24, 2022 (1443/12/25 AH) from the High Council Secretariat of the Supreme Court, the issuance of deeds should commence.
- 6- Duplicate deeds must be prepared in line with the guidelines provided in Circular No. (1) dated August 7, 2022 (1444/1/9 AH) issued by the High Council Secretariat of the Supreme Court.
- 7- The preparation of the power of attorney documents should follow the directives of Circular No. (7) dated August 23, 2022 (1444/1/25 AH) from the High Council Secretariat of the Supreme Court.
- 8- The issuance of marriage certificates should commence. Existing certificates may continue to be used provided they do not contravene Shariah principles.
- 9- All courts are required to process their appeals in a timely manner. Upon receipt of an appeal by the appellate court, the appeal should be registered immediately, though the scheduling of the appeal may be adjusted based on the court's caseload.

The speech delivered by His Excellency, the Chief Justice, on the closing day of the seminar, was reviewed on August 29, 2022 (1444/2/2 AH), and subsequently, the Supreme Court issued the following directive: "The speech of His Excellency, Chief Justice, on the closing day of the seminar should be circulated to all courts."

In compliance with the Supreme Court's directive, the key points articulated by the Chief Justice during his closing speech at the seminar are hereby communicated to all pertinent Directorates of Cassations, Divisions, Appellate, and Primary Courts through this circular. This is to ensure that the legal and Sharia proceedings align with the specified direction.

Respectfully,

Mufti Abdul Rasheed "Saeed"

Head of Supreme Court High Council Secretariat