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**In the name of Allah, the most gracious, the most merciful**

**Decree of Amirul-Momenin, Sheikh al-Qur'an and Hadith, Mawlawi Hebatullah Akhundzada, May Allah Protect Him Regarding the Enforcement of the Law on Complaints Hearing**

Decree No: 412

Date: 10/February/2024 (1445/7/30 A.H.)

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**Article One:**

I approve the Law on Complaints Hearing, with an introduction, two chapters, and twenty-three articles.

**Article Two:**

This decree shall take effect from the date of endorsement and should be published in the official gazette. Decree No. 242, dated 8 November 2023 (24/4/1445 A.H.), is hereby canceled.

**Regards,**

**Amirul-Momenin, Sheikh al Qur'an and Hadith, Mawlawi Hebatullah Akhundzada**

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In the name of Allah, the most gracious, the most merciful,<sup>1</sup>

Praise be to Allah, Lord of the Worlds, and may blessings and peace be upon the Master of the Prophets and Messengers, his family, and companions.<sup>2</sup>

## Complaints Hearing Law

### Introduction

#### Basis

#### Article 1:

This law has been prepared based on decree number (113) dated 5 September 2022 (1444/2/9 A.H.) of his excellency Amirul-Momenin Sheikh Al-Qur'an and Hadith Mawlawi Hebatullah Akhundzada. May Allah Protect him.<sup>3</sup>

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<sup>1</sup> The book begins with the Basmalah, following the precedent set by the Mighty Book which opens in this manner, and in line with the saying of the Prophet, peace and blessings be upon him: "Every important matter that does not begin with the remembrance of God and in the name of God, the Most Gracious, the Most Merciful, is cut off." This is narrated by Al-Hafiz Abdul Qadir Al-Rahawi in "Arba'inah." Additionally, according to the narration of Abu Dawud and Al-Nasa'i, "Every speech that does not begin with 'Praise be to God' is immoral." Furthermore, as narrated by Ibn Majah, "Every speech that does not begin with the praise of God is severe." This has also been narrated by Abu Awanah and Ibn Hibban in their Sahihs.

Al-Banaiya Sharh Al-Hidaya, vol. 1, p. 105, ed.: Dar Al-Kutub Al-Ilmiyya, Beirut.

<sup>2</sup> *Ibid.*

<sup>3</sup> (Detailing the duties of workers according to what was stated in the orders of Omar - may God Almighty be pleased with him -: Everyone who appointed a worker would receive a written order that included his appointment, powers, and duties. This matter was confirmed by the testimony of many immigrants and Ansar).

[Al-Farouq, by Imam Al-Shibli Al-Numani, p. 224, ed.: Dar Al-Salam, Riyadh.

- (The Caliph is the supreme head of state, and he has great responsibilities. He leads the nation towards the best goals and plans its path in light of the fairest, correctest, and easiest paths. Since he is an individual with limited abilities, he needs helpers and supporters to administer the government in the country. Al-Mawardi said: "What has been entrusted to the Imam He is not able to exercise all of the management of the nation except by delegation." It is from these agents that the executive authority in Islam is composed. History has reported that the Muslim caliphs showed remarkable success in managing the country and that Islam innovated and innovated in war, administration, and politics, just as it innovated and innovated in science, legislation, and causes. civil).

Islamic jurisprudence and its evidence, vol. 8, p. 6216, edition: Amir Hamzah Kutub Khanah, Quetta].

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## Objectives

### Article 2:

This law has been developed to provide the basis for ensuring justice and dealing with people's complaints from the officials and employees of the emirate entities.<sup>4</sup>

## Terminologies

### Article 3:

(1) The following terms in this law have the following meanings: <sup>5</sup>

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- (The origin of governance and management of affairs is that it belongs to the Sultan because he is the owner of the Great Imamate, and everyone who works for the public is his agent, but the agency may be without an intermediary; for example, the Sultan says to Zaid, "I have appointed you to rule among the people, to another to collect and preserve money, to another to guard the borders, and to another to manage political matters." And for another to punish criminals... and it may be through an intermediary, such as the ruler imitating a person in action and authorizing him to remove and assign him.

[Explanation of the magazine by Muhammad Khalid al-Atassi, vol. 4, part 6, p. 50, article (1800), ed.: Hanafiyah Library, Quetta].

<sup>4</sup> God has heard the speech of the woman who disputes with you about her husband and complains to God, and God hears your conversation. Indeed, God is All-Hearing, All-Seeing. [Al-Mujadala: 1].

- (The people of Kufa complained about Sa`d, may God Almighty be pleased with him, to Omar - may God Almighty be pleased with him, so he removed him and appointed Ammar over him - may God Almighty be pleased with him).

[Al-Bukhari, Hadith No.: 746, vol. 1, p. 104, Kitab al-Adhan, ed.: Haqqaniyah Library, Peshawar]. - (All workers were ordered to attend the Hajj season every year, and the people of all countries would attend before the Hajj season. Then Omar - may God Almighty be pleased with him - would stand and announce to everyone that whoever had a complaint about any worker should file it, and this was how complaints of all kinds occurred.)

Al-Farouq, p. 226, ed.: Dar Al-Salam, Riyadh.

- (As for the principles, laws, and rules that Omar, may God Almighty be pleased with him, established, they were simple and easy to the point that the seeker of justice did not make any effort and did not face any problem in obtaining his rights, and Omar, may God Almighty be pleased with him, always took this matter into account).

Al-Farouq by Imam Al-Shibli Al-Numani, p. 259, Dar Al-Salam Edition, Riyadh.

<sup>5</sup> (The specific custom, its definition: It is the convention of a specific group regarding something, such as grammar scholars using the word "raf" and literary scholars using the word "criticism."

Durar al-Hikam, Sharh al-Majallah, vol. 1, p. 41, ed.: Hanafiyah Library, Quetta].

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1—Complaint: Providing written or oral information about the abusive behavior of the officials and employees of the emirate entities to the Ministry for the Propagation of Virtue and the Prevention of Vice (MOPVPE).<sup>6</sup>

2- **Complainant:** a person who submits his complaint to the Ministry for the Propagation of Virtue and the Prevention of Vice.<sup>7</sup>

3- **Defendant:** An official and employee of an emirate authority against whom a complaint has been submitted to the Ministry for the Propagation of Virtue and the Prevention of Vice.<sup>8</sup>

- (Tradition is a people's agreement to call something by a name that is transferred from its original place. Convention is the transfer of a word from one linguistic meaning to another due to the appropriateness between them.)

It was said: Convention is an agreement of a group to place the word in relation to the meaning.

It was said: Terminology is taking something away from a linguistic meaning to another meaning in order to clarify what is intended.

It was said: Idiom: a word. A specific person among a specific people).

Definitions by Al-Jurjani, p. 28, ed.: Dar Al-Kutub Al-Ilmiyyah, Beirut. - (The scholars say that there is no quarreling over terminology, and there is no arguing over what they have agreed upon.)

The Intermediate Dictionary 1/474]

- Definition according to custom is like definiteness in the text.

(Journal of Al-Ahkam Al-Adliya, p. 92, ed.: Haqqaniyah Library, Peshawar.)

<sup>6</sup> (So-and-so complained to him and told him about so-and-so's bad deed.)

Al-Raed's Dictionary, p. 821, ed.: enlarged edition.

- (He complained)... So-and-so reported his abuse.

Al-Mu'jam Al-Wasit, vol. 1, p. 492, ed.: Dar Al-Da'wa.

(7) (The complainant) is the one who expresses his complaint.

Al-Mu'jam Al-Wasit, vol. 1, p. 492, ed.: Dar Al-Da'wa.

<sup>7</sup> (The complainant) is the one who expresses his complaint.

Al-Mu'jam Al-Wasit, vol. 1, p. 492, ed.: Dar Al-Da'wa.

<sup>8</sup> (I complained about so-and-so, I complain about him, and I complain, and I complain, and I complain. If you tell him about the bad he did to you, then he is complaining.

And my complaint.

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(2) The terms used in this law shall convey the same concepts as those used in the law of the Ministry for the propagation of virtue and the prevention of vice.<sup>9</sup>

### **Abbreviated name;**

#### **Article 4:**

In this law, the Ministry for the Propagation of Virtue and the Prevention of Vice is referred to as the Ministry.<sup>10</sup>

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Al-Saan Al-Arab, vol. 5, p. 173, ed.: Dar Al-Hadith, Cairo.

- (So-and-so complained to him and told him about so-and-so's bad deed.)

Al-Raed's Dictionary, p. 821, ed.: Magnifying Press.

- (He complained...so-and-so told of his abuse).

Al-Mu'jam Al-Wasit, vol. 1, p. 492, ed.: Dar Al-Da'wa.

<sup>9</sup> (The specific custom is defined as: It is the convention of a specific group regarding something, such as grammar scholars using "the nominative word" and literary scholars using the word "criticism").

Durar al-Hikam Sharh al-Majallah, vol. 1, p. 41, ed.: Hanafiyah Library, Quetta].

- (Convention is a people's agreement to call something by a name that is transferred from its original place. Convention is the transfer of a word from one linguistic meaning to another due to a suitable relationship between them.

It was said: Convention is an agreement of a group to place the word in relation to the meaning.

It was said: Terminology is taking something away from a linguistic meaning to another meaning. To clarify what is meant.

It was said: Idiom: a specific word among a specific people.

Definitions by Al-Jurjani, p. 28, ed.: Dar Al-Kutub Al-Ilmiyyah, Beirut.

- (The scholars say that there is no quarreling over terminology, and there is no arguing over what they have agreed upon.)

The Intermediate Dictionary 1/474]

Designation by custom is like designation by text.

(Journal of Al-Ahkam Al-Adliya, p. 92, ed.: Haqqaniyah Library, Peshawar.)

<sup>10</sup> (10) *Ibid.*

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## **Obligations of the Emirate Authorities**

### **Article 5:**

The Emirate's authorities, including the courts, are required to provide comprehensive information, take other necessary actions, and inform the ministry in this regard. <sup>11</sup>

### **Providing an opportunity for filing a complaint**

### **Article 6:**

The ministry is obliged to provide people with an opportunity to present their complaints freely. <sup>12</sup>

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<sup>11</sup> (Since the king cannot establish all of these interests by himself, he must have assistants for every need and one of the conditions for the assistants is honesty, the ability to carry out what they are ordered to do, and their submission to the king and his advice, whether outwardly or inwardly).

Hujjatullah al-Baghiha, vol. 1, p. 96, ed.: Dar al-Kutub al-Hadithah, al-Muthanna Library].

- (Then the laws and costs issued by the ruler become enforceable). Islamic jurisprudence and its evidence, vol. 8, p. 6190, edition: Amir Hamzah Kutub Khanah, Kuwaytah.

- He said in "Al-Miraj": Because obedience to the Imam in what is not disobedience is obligatory, ah). Radd al-Muhtar, vol. 1, p. 615, edition: Rashidiyya Library, Kuwait.

- (His saying: The Sultan's order is only implemented, meaning it is followed, and it is not permissible to violate it.) Ard al-Muhtar, vol. 4, p. 382, Rashidiya Library, Quetta.

<sup>12</sup> (The Caliph is the supreme head of state and has great responsibilities. He leads the nation towards the best goals and plans its path in light of the fairest, correctest, and easiest paths. Since he is an individual with limited capabilities, he needs helpers and supporters to administer governance in the country. Al-Mawardi said: "Whatever has been entrusted to the Imam of the nation's management, he cannot directly undertake.

All except by delegation, and the executive authority in Islam consists of these agents. History has conveyed that the Muslim caliphs showed remarkable success in managing the country and that Islam innovated and innovated in war, administration, and politics, just as it innovated and innovated in science, legislation, and civil causes.

Islamic jurisprudence and its evidence, vol. 8, p. 6216, edition: Amir Hamzah Kutub Khanah, Quetta].

- (As for the principles, laws, and rules that Omar, may God Almighty be pleased with him, established, they were simple and easy to the point that the seeker of justice did not make any effort and did not face any problem in obtaining his rights, and Omar, may God Almighty be pleased with him, always took this matter into account.)

Al-Farouq by Imam Al-Shibli Al-Numani, p. 259, Dar Al-Salam Edition, Riyadh.

- (Omar bin Al-Khattab, may God Almighty be pleased with him, was not convinced of the good selection of governors; rather, he determined for them the method of work and the rules they followed to be a basis for holding them accountable later.)

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## Chapter One

### Competencies and obligations

#### Receiving the complaints

##### **Article 7:**

(1) The Ministry receives people's complaints by entering the full details of the complainant and the defendant in a specific form. In exceptional cases (such as being away in an emergency), complaints can be dealt with verbally, in correspondence, and on a telephone basis. In this case, the complainant shall also be obliged to submit his/her written complaint to the responsible official. <sup>13</sup>

(2) The Ministry is obliged to develop plans and provide facilities for people's communications and collecting information related to complaints. <sup>14</sup>

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Omar bin Al-Khattab and the Origins of Politics and Modern Administration by Suleiman Al-Tamawi, p. 275, Dar Al-Fikr, Cairo.

<sup>13</sup> (As for the principles, laws, and rules that Omar, may God Almighty be pleased with him, established, they were simple and easy to the point that the seeker of justice did not exert any effort and did not face any problem in obtaining his rights, and Omar, may God Almighty be pleased with him, always took this matter into account.)

Al-Faruq by Imam Al-Shibli Al-Numani, p. 259 edition: Dar Al-Salam, Riyadh.

<sup>14</sup> (The Caliph is the supreme head of state, and has great responsibilities. He leads the nation toward the best goals, and plans its path in light of the fairest, correctest, and easiest paths. Since he is an individual with limited capabilities, he needs helpers and supporters to administer governance in the country. Al-Mawardi said: "The Whatever has been entrusted to the Imam regarding the management of the nation, he cannot carry out all of it except by delegation, and among these agents is the executive authority in Islam. History has reported that the Muslim caliphs showed remarkable success in managing the country, and that Islam innovated and innovated in war, administration, and politics, just as it invented and innovated in science. Legislation and civil causes).

Islamic jurisprudence and its evidence, vol. 8, p. 6216, edition: Amir Hamzah Kutub Khanah, Quetta].

(As for the principles, laws and rules that Omar - may God Almighty be pleased with him - established, they were simple and easy to the point that the seeker of justice did not make any effort, and did not face any problem in obtaining his rights, and Omar - may God Almighty be pleased with him - always took this matter into account.)

Al-Faruq by Imam Al-Shibli Al-Numani, p. 259 edition: Dar Al-Salam, Riyadh. (Detailing the duties of workers according to what was stated in the orders of Omar - may God Almighty be pleased with him. Everyone who appointed a worker would receive a written order that included his appointment, powers, and duties, and the testimony of many immigrants and Ansar confirmed this matter.) [Al-Farouq, by Imam Al-Shibli Al-Numani, p. 224, ed.: Dar Al-Salam, Riyadh.

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(3) The Ministry is obliged to provide safety and security for the complainant so that he/she is safe from any threats and assures the complainant of the legally and Sharia-based handling of his/her complaint.<sup>15</sup>

(4) If the complaint is written against the complaint writing principles, the relevant authority of the ministry should provide guidance to the complainant to correct and amend the complaint.<sup>16</sup>

(5) If handling the complaint is not within the ministry's responsibilities, the ministry will guide the complainant to the relevant authority to handle the complaint.<sup>17</sup>

(6) in case of serious accidents, the ministry is obliged to urgently prepare and send the documented report of complaints to the relevant authority within two weeks.<sup>18</sup>

## **Complaints Registration book**

### **Article 8:**

(1) The Ministry is obliged to prepare a complaints registration book.<sup>19</sup>

(2) If the complaint mentioned in paragraph (1) of Article 7 is submitted according to the provisions of this law, the relevant official is obliged to register it along with the full name and address of the complainant and the defendant in the relevant book.<sup>20</sup>

(3) The Ministry is obliged to record the received complaints in the relevant book in such a way that, when necessary, the correct and accurate numbers of the complaints, the personal details and address of the complainant and defendant, the date of investigations and reports and other information can be used as a reliable source.<sup>21</sup>

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<sup>15</sup> *Ibid.*

<sup>16</sup> (On the authority of Suleiman bin Buraidah, on the authority of his father, that the Messenger of God, may God bless him and grant him peace, said: "The one who indicates goodness."

As an actor."

[Musnad of Imam Abu Hanifa, may God Almighty have mercy on him, narrated by Abu Nu'aym, vol. 1, p. 150, ed.: Al-Kawthar, Riyadh].

<sup>17</sup> *Ibid.*

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*

<sup>21</sup> *Ibid.*

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## Verification of the complaint rightness

### **Article 9:**

(1) After receiving the complaint, the ministry is obliged to send a delegation of trustworthy, pious, faithful, and prayerful persons to the defendant's area to verify its rightness.<sup>22</sup>

(2) The delegation mentioned in paragraph (1) of this article shall collect information about the rightness and validity of the complaint from the pious, trustworthy, and prayerful persons of the mentioned area.<sup>23</sup>

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<sup>22</sup> ) (He was assigned to investigate if any complaint arrived against one of the workers. He would go to the place of the complaint and collect people's opinions publicly.)

Al-Farouq, p. 227, ed.: Dar Al-Salam, Riyadh.

- (Omar, may God Almighty be pleased with him, would sometimes send an investigation committee consisting of several people. This was mentioned in history books, and sometimes he would summon the worker to Medina and investigate him.

directly).

Al-Farouq, p. 228, ed.: Dar Al-Salam, Riyadh.

- The tenth is that he personally undertakes to supervise matters and review situations; To advance the nation's policy and guard the community, and not rely on delegation, preoccupied with pleasure or worship, as he may betray the trustworthy person and deceive the advisor.

[Al-Ahkam Al-Sultaniyya by Al-Mawardi, ed.: Dar Al-Hadith, Cairo].

Likewise, the chief judge should inspect his judges and deputies, examine their cases, and take into account their affairs and their conduct among the people. The imam and the judge who compiles the rulings of the judges must ask trustworthy people about them and ask righteous people against whom he does not make accusations, and he should not deceive, for many of those who have purposes cast something into the hearts of righteous people in order to achieve success. Thus, the righteous people denounced him when he was mentioned to them and asked about him, and if complaints about them appeared and he did not know their conditions, he asked about them as mentioned above.

Mu'in al-Hikam regarding the rulings circulated between the two opponents, p. 36, ed.: Amir Hamza Kutb Khanah, Quetta].

<sup>23</sup> (The imam and the judge who compiles the rulings of the judges must ask trustworthy people about them, and ask righteous people against whom he does not make accusations, and he does not deceive, for many of those who have purposes cast something into the hearts of righteous people in order to achieve thereby the disapproval of the righteous people when they mention him to them and ask them about him, and if it appears He complained about them and did not know their conditions. He asked about them as mentioned above.)

Mu'in al-Hikam regarding the rulings that are circulated between the two opponents, p. 36, edition: Amir Hamza Kutb Khanah, Koytah.

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## **Complaint against an Emirate entity**

### **Article 10:**

(1) If a person has a complaint against the employees of an Emirate entity, he/she should submit his/her complaint to the responsible authority of that entity. <sup>24</sup>

(2) If the responsible authority does not handle the complaint properly about the case stated in paragraph (1) of this article, the complainant can file his complaint and submit it to the ministry. <sup>25</sup>

(3) Regarding the case mentioned in paragraph (2) of this article, the Ministry shall request complete information about the case from the said entity for consideration. <sup>26</sup>

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- If the imam complains to him, his representative sends him and inquires about it in a place he knows about the people of merit among them. Because Omar - may God Almighty be pleased with him - used to ask about him in the mosque for those who were constantly praying.

[Umdat Al-Qari, Explanation of Sahih Al-Bukhari in Explanation of Hadith: 746, Chapter on the Obligation of Reciting for the Imam and the person being led during the entire prayer, vol. 5, p. 590, ed.: Rashidiyah Library, Kuwait].

- He was assigned to investigate if any complaint was received against one of the workers, so he would go to the place of the complaint and collect people's opinions publicly.

Al-Farouq, p. 227, ed.: Dar Al-Salam, Riyadh.

- (Omar, may God Almighty be pleased with him, would sometimes send an investigation committee consisting of several people. This was mentioned in history books, and sometimes he would summon the worker to Medina and investigate him directly.)

Al-Farouq, p. 228, ed.: Dar Al-Salam, Riyadh.

<sup>24</sup> (As for the principles, laws, and rules that Omar, may God Almighty be pleased with him, established, they were simple and easy to the point that the seeker of justice did not make any effort and did not face any problem in obtaining his rights, and Omar, may God Almighty be pleased with him, always took this matter into account.)

Al-Faruq by Imam Al-Shibli Al-Numani, p. 259 edition: Dar Al-Salam, Riyadh.

- (Disposal of the subjects depends on the interest, because the Muslim Imam is the general supervisor of all the subjects in public matters... because the Sultan was only given authority from God Almighty for the sake of protecting the blood of his servants and protecting their honor and money).

Explanation of the magazine by Salim, Baz, vol. 1, p. 35, article (58), ed.: Rashidiyah Library, Quetta].

<sup>25</sup> *Ibid.*

<sup>26</sup> (Omar bin Al-Khattab - may God Almighty be pleased with him - was not convinced of the good selection of governors, but rather he determined for them the method of work and the rules that they followed, to be a basis for holding them accountable later.)

Omar bin Al-Khattab and the Principles of Politics and Modern Administration by Suleiman Al-Tamawi, p. 275, Dar Al-Fikr, Cairo] - (Detailing the duties of workers according to what was stated in the orders

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(4) If the complaint is found to be correct and valid in the case stated in paragraph (2) of this article, the ministry will demand effective actions from the responsible authority. In this case, the said authority is obliged to assure the ministry in writing about its actions. <sup>27</sup>

(5) If the complaint is still not dealt with after taking actions mentioned in paragraph (4) of this article, the ministry shall introduce the person in charge to the higher authority of that relevant entity. <sup>28</sup>

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of Omar - may God Almighty be pleased with him: Everyone who appointed a worker would receive a written order that included his appointment, powers, and duties, and it was confirmed in this order. Testimony of many immigrants and supporters). Al-Farouq by Imam Al-Shibli Al-Numani, p. 224, ed.: Dar Al-Salam, Riyadh.

- (The Caliph is the supreme head of state, and has great responsibilities. He leads the nation towards the best goals, and plans its path in light of the fairest, correctest, and easiest paths. Since he is an individual with limited capabilities, he needs helpers and supporters to administer the government in the country. Al-Mawardi said: "What He has appointed is To the imam who is in charge of the nation and is not able to act directly

All except by delegation, and from these agents the executive authority in Islam consists. History has conveyed that the Muslim caliphs showed remarkable success in managing the country, and that Islam innovated and innovated in war, administration, and politics, just as it innovated and innovated in science, legislation, and civil causes.

[Islamic jurisprudence and its evidence, vol. 8, p. 6216, edition: Amir Hamza Kutb Khanah, Quetta].

<sup>27</sup> (The king must ask about the news every day about them, and find out what happened regarding reform and what was against it.) Hujjatullah al-Baghiha, vol. 1, p. 95, edition: Dar Al-Jeel, Beirut - Lebanon].

- (Since the king cannot establish all of these interests by himself, he must have assistants for every need, and one of the conditions for the assistants is honesty, the ability to carry out what they are ordered to do, and their submission to the king and his advice, whether outwardly or inwardly). Hujjatullah al-Baghiha, vol. 1, p. 96, ed.: Dar al-Kutub al-Hadithah, al-Muthanna Library].

- Correspondents and accident clerks to know the conditions and news: Omar - may God Almighty be pleased with him - was making a great effort to try to find out everything that was happening in the country, so that nothing would be hidden from him, and so he appointed reporters and clerks in all state departments who would record news and incidents, and from here it would reach him. Even all the small facts in the country).

[Al-Farouq, p. 367, ed.: Dar Al-Salam, Riyadh.

<sup>28</sup> (Omar bin Al-Khattab, may God Almighty be pleased with him, was not convinced of the good selection of governors, but rather he determined for them the method of work and the rules that they followed to be a basis for holding them accountable later).

Omar bin Al-Khattab and the Principles of Politics and Modern Administration by Suleiman Al-Tamawi, p. 275, Dar Al-Fikr, Cairo] - (Detailing the duties of workers according to what was stated in the orders of Omar, may God Almighty be pleased with him. Everyone who appointed a worker would receive a written order that included his appointment, powers, and duties, and it would be recorded in this order.

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(6) In cases mentioned in this article, the Ministry can send a delegation to the relevant entity to obtain information about the case.<sup>29</sup>

## Complaints against judges and court proceedings

### **Article 11:**

(1) If the defendant is a judge or an administrative employee of the court and the complainant submits his complaint to the ministry regarding the non-implementation of the decisive and final decision of the court or the prolongation of the case in the court without legal excuse, the ministry will share it with the superior judge of the relevant court.<sup>30</sup>

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Testimony of many immigrants and supporters). Al-Farouq by Imam Al-Shibli Al-Numani, p. 224, ed.: Dar Al-Salam, Riyadh. - The Caliph is the supreme head of state, and he bears great responsibilities, leading the nation towards the best goals, and planning its path in light of the fairest, most correct, and easiest paths. Since he is an individual with limited abilities, he needs agents and supporters to administer the government in the country. Al-Mawardi said: "Whatever has been entrusted to the Imam regarding the management of the nation, he cannot undertake all of it except by delegation." It is from these agents that the executive authority in Islam is composed. History has reported that the caliphs Muslims have shown great success in managing the country, and Islam has innovated and innovated in war, administration, and politics, just as it has innovated and innovated in science, legislation, and civil causes.

Islamic jurisprudence and its evidence, vol. 8, p. 6216, edition: Amir Hamzah Kutub Khanah, Quetta].

<sup>29</sup> Omar - may God Almighty be pleased with him - was making a great effort to try to find out everything that was happening in the country, so that nothing was hidden from him, and so he appointed correspondents and clerks in all state departments who would record news and incidents, and from here even all small incidents in the country would reach him. .

[Al-Farouq, p. 367, ed.: Dar Al-Salam, Riyadh.

- (The tenth is that he personally undertakes to supervise matters and review situations, to advance the nation's policy and guard the religion, and not to rely on delegation, preoccupied with pleasure or worship, as he may betray the trustworthy person and deceive the advisor.)

[Al-Ahkam Al-Sultaniyya by Al-Mawardi, ed.: Dar Al-Hadith, Cairo].

- (Omar, may God Almighty be pleased with him, would sometimes send an investigation committee consisting of several people. This was mentioned in history books, and sometimes he would summon the worker to Medina and investigate him directly.)

Al-Farouq, p. 228, ed.: Dar Al-Salam, Riyadh

<sup>30</sup> (Preferred) in revealing the judges: The imam should inspect the condition of his silverware, for they are the foundation of his affairs and the head of his authority. Likewise, the chief judge should inspect his judges and deputies, review their cases, and take into account their affairs and their behavior among the people. The imam and the judge who compiles the rulings of the judges must ask trustworthy people about them, and ask righteous people against whom he does not make accusations or deceive, for many

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(2) If the complaint is not dealt with within one month of the action mentioned in paragraph (1) of this article, the ministry shall submit a report on the matter to His Excellency Amirul-omenin (may Allah protect him).<sup>31</sup>

## **Complaint against the official or employee of an Emirate entity**

### **Article 12:**

(1) When people complain about the abusive behavior of officials and employees of the Emirate's entities and this behavior is considered a crime, the Ministry is obliged to hear the mentioned complaints and take action according to the principles.<sup>32</sup>

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of those who have purposes cast something into the hearts of righteous people in order to achieve a goal thereby. The righteous people disparaged him when he was mentioned to them and asked about him, and if complaints about them appeared and he did not know their conditions, he asked about them.... So if they were on the path of uprightness, he kept them, and if they were on what was reported about them, he isolated them. Mu'in al-Hikam regarding the rulings that are circulated between the two opponents, p. 36, edition: Amir Hamza Kutb Khanah, Koytah.

(Since the king cannot establish all of these interests by himself, he must have assistants for every need, and one of the conditions for the assistants is trustworthiness, the ability to carry out what they are ordered to do, and their submission to the king and his advice, whether outwardly or inwardly.)

Hujjatullah al-Baghiha, vol. 1, p. 96, ed.: Dar al-Kutub al-Hadithah, al-Muthanna Library].

- (And because whatever has been entrusted to the Imam regarding the management of the nation, he is not able to undertake all of it except by delegation.)

(Al-Ahkam Al-Sultaniyyah by Al-Mawardi, p. 50, ed.: Dar Al-Hadith, Cairo. (Ibn Battal said: In the hadith is the legality of appointing overseers, because the imam cannot handle all matters by himself. He needs someone to help him, so that what he stays in is sufficient for him.)

Fath al-Bari Sharh Sahih al-Bukhari, vol. 13, p. 169, ed.: Dar al-Ma'rifa, Beirut.

<sup>31</sup> *Ibid.*

<sup>32</sup> (Omar bin Al-Khattab, may God Almighty be pleased with him, was not convinced of the good selection of governors. Rather, he determined for them the method of work and the rules that they followed, to be a basis for holding them accountable later.)

Omar bin Al-Khattab and the Origins of Politics and Modern Administration by Suleiman Al-Tamawi, p. 275, Dar Al-Fikr, Cairo. (Detailing the duties of workers according to what was stated in the orders of Omar - may God Almighty be pleased with him: Everyone who appointed a worker would receive a written order that included his appointment, powers, and duties, and the testimony of many immigrants and Ansar confirmed this matter.) Al-Farouq by Imam Al-Shibli Al-Numani, p. 224, ed.: Dar Al-Salam, Riyadh.

Omar, may God Almighty be pleased with him, was very keen for people to know the duties of workers.

Al-Farouq by Imam Al-Shibli Al-Numani, p. 225, ed.: Dar Al-Salam, Riyadh.

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(2) If, in the case of paragraph (1) of this article, the matter is not dealt with by the relevant authority, the defendant and the related authority will be introduced to the court or, if necessary, to his excellency Amirul-Momenin (may Allah protect him).<sup>33</sup>

## **Threat of Complainant**

### **Article 13:**

If the complainant submits his/her complaint to the ministry in accordance with this law and the defendant or another person threatens him/her for submitting the complaint, the ministry shall refer the matter to the court after confirming the threat.<sup>34</sup>

## **Interference in court proceedings**

### **Article 14:**

(1) Whenever there is a complaint about the interference of Emirate officials and authorities during the court proceeding, the ministry will share it with the defendant. If the issue is still not resolved, it will be shared with the relevant authority.<sup>35</sup>

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<sup>33</sup> (Al-Zayla'i said: There is nothing decreed in punishment, rather it is delegated to the opinion of the Imam according to what their crime requires, for the punishment in it differs. Depending on the crime, Ard al-Muhtar, vol. 3, p. 196, chapter on ta'zir, ed.: Rashidiyah Library, Quetta].

- (And every person who commits an evil or harms a Muslim is unjustly punished by word or deed).

Ard al-Muhtar ala al-Durr al-Mukhtar, vol. 3, p. 199, edition: Rashidiyya Library, Quetta]. - (Rather, this differs according to the differences between the people, so there is no meaning to evaluating it if the intended objective is achieved without it, so it is left to the opinion of the judge who evaluates it to the extent Whatever he deems to be of interest therein.

(Rad al-Muhtar ala al-Durr al-Mukhtar, Sharh Tanweer al-Absar, vol. 3, p. 195, Chapter on Ta'zir, ed.: Rashidiyah Library, Quetta].

<sup>34</sup> (God does not like to publicly speak evil except one who has wronged the verse [An-Nisa: 148].

It is permissible for the oppressed to resort to the judiciary and file a complaint to remove the injustice and describe the actions of the oppressor...

Then God Almighty made an exception in a situation in which it is permissible to declare bad words; This is the case of complaining about the injustice of the oppressor to a ruler, judge, or other person who is expected to remove his injustice, provide relief, and help him remove the injustice. Complaining about the oppressor is something required by Sharia, as God does not like His servants to remain silent about injustice, or to submit to injustice, or to accept humiliation and remain silent about humiliation. Imam Ahmad narrated: "The owner of the truth has an opinion." This is like committing the lesser of two evils and averting the greater of two evils.) Al-Tafsir Al-Munir by Al-Zuhayli, vol. 6, p. 6, edition: Beirut.

<sup>35</sup> (And do not be an adversary to the traitors.) [An-Nisa: 105].



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(2) If the relevant authority does not deal with the matter, the defendant and the relevant authority shall be introduced to the court or, if necessary, to His Excellency Amirul-Momenin (may Allah protect him).<sup>36</sup>

## **Complaints hearing with regard to the operations of the Islamic Emirate entities**

### **Article 15:**

(1) Whenever the complaint concerns the operations of Islamic Emirate entities, the Ministry will hear it and inform the relevant entity.

(2) If the complaint mentioned in paragraph (1) of this article is proven, the ministry will introduce the responsible person or persons to the higher authority of that entity.

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The Almighty's saying: (And do not be an adversary to the traitors) indicates that representation or agency on behalf of the invalid or the accused in the dispute is not permissible. It is not permissible for anyone to dispute on behalf of anyone except after he knows that he is right. In this verse, God Almighty forbade His Messenger from supporting those who accuse and defend. From them according to what their opponent says regarding the argument).

Al-Tafsir Al-Munir by Al-Zuhayli, vol. 3, p. 273, edition: Amir Hamza Kutb Khana, Kandahar. - (On the authority of Abu Hurairah, may God Almighty be pleased with him, on the authority of the Prophet, may God's prayers and peace be upon him, that he said: "Whoever departs from obedience, separates from the group and dies, dies the death of pre-Islamic times, and whoever fights under an old banner will become angry for a group, or will call for a group or another.") He formed a group and was killed. These were pre-Islamic killers. ).

Narrated by Muslim Hadith No.: 1848]

(His saying under a blind banner) is a metaphor for a group gathered around an unknown matter that does not know whether it is right or wrong, so they call the people to it and fight for it.)

Marqat Al-Muftayat, Explanation of the Niche of the Lights, Hadith No. 3669].

<sup>36</sup> (Al-Zayla'i said: There is nothing decreed in punishment. Rather, it is delegated to the opinion of the Imam, according to what their crime requires. The punishment for it varies. Depending on the crime).

Radd al-Muhtar, vol. 3, p. 196, chapter on ta'zir, ed.: Rashidiyah Library, Quetta].

- (Rather, this differs according to the differences between the people, so there is no meaning to evaluating it if the intended objective is achieved without it, so it is left to the opinion of the judge who evaluates it to the extent Whatever he deems to be of interest therein.

(Rad Al-Muhtār Āla al-Durr al-Mukhtar, Sharh Tanwīr al-Ibsār, vol. 3, p. 195, Chapter on Ta'zīr, published by Maktab al-Rashidiyyah, Kuwait. (And every person who commits an evil or harms a Muslim unjustly will be punished by word or deed.)

Radd al-Muhtar, vol. 3, p. 199, edition: Rashidiyah Library, Quetta].

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(3) If the complaint mentioned in paragraph (2) of this article is not dealt with, the defendant and the relevant authority will be introduced to the court or His Excellency Amirul-Momenin (may Allah protect him).<sup>37</sup>

### Requesting information about missing persons

#### **Article 16:**

Whenever a complaint is submitted to the ministry about the disappearance of a person, to be assured, the ministry shall ask for information from the relevant authorities in this regard.<sup>38</sup>

### Complaining about the unclear destiny of a person caught due to political reasons

#### **Article 17:**

When a person is arrested by the security or intelligence agencies on the charge of a political crime, the destiny of that person is not known for more than a month, and a complaint is submitted to the ministry, the ministry will pursue the matter to ensure his/her situation.<sup>39</sup>

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<sup>37</sup> *Ibid.*

<sup>38</sup> (Omar - may God Almighty be pleased with him - used to make a great effort to try to find out everything that was happening in the country, so that nothing was hidden from him, and so he appointed correspondents and clerks in all state departments who recorded news and incidents, and from here even all the small incidents in the country reached him. country).

[Al-Farouq, p. 367, ed.: Dar Al-Salam, Riyadh.

Omar bin Al-Khattab was not satisfied God Almighty is satisfied with the good choice of the rulers, but He only determined for them the method of work and the rules by which they follow. To be a basis for holding them accountable later.

[Omar bin Al-Khattab and the Origins of Politics and Modern Administration by Suleiman Al-Tamawi, p. 275, Dar Al-Fikr, Cairo. - (Detailing the duties of workers according to what was stated in the orders of Omar, may God Almighty be pleased with him: Everyone who appointed a worker would receive a written order that included his appointment, powers, and duties, and this matter was confirmed by the testimony of many immigrants and Ansar). [Al-Farouq, by Imam Al-Shibli Al-Numani, p. 224, ed.: Dar Al-Salam, Riyadh.

Omar, may God Almighty be pleased with him, was very keen for people to know the duties of workers.

[Al-Farouq, by Imam Al-Shibli Al-Numani, p. 225, ed.: Dar Al-Salam, Riyadh.

<sup>39</sup> The situation was revealed to his righteous, his accusers, the bandi kolu, the authority, or the item that was intended to destroy him, the command of the Commander of the Faithful, may God Almighty protect him, Firman Kanah 8, Part 5, Nabta: 7/3/1443 A.H. Rasmi Jarida, may God Almighty protect him: 1432,

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## Reviewing the case in the absence of the complaint

### **Article 18:**

If it becomes clear that people's rights have been violated by the Emirate's authorities without a complaint, the ministry shall submit a full report on the matter directly to the relevant authority and His Excellency Amirul-Momenin (may Allah protect him).<sup>40</sup>

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p. 26, dated 1444 AH, Dhu al-Qa'dah al-Haram, Mayasht Dawhamah. ← DD 1402 AH, 1402 A.H., Mayashtai Governorate, his family is Samoun Khoury.

- (Omar bin Al-Khattab, may God Almighty be pleased with him, was not convinced of the good selection of governors, but rather he determined for them the method of work and the rules that they followed, to be a basis for holding them accountable later).

Omar bin Al-Khattab and the Origins of Politics and Modern Administration by Suleiman Al-Tamawi, p. 275, Dar Al-Fikr, Cairo. (Detailing the duties of workers according to what was stated in the orders of Omar - may God Almighty be pleased with him: Everyone who appointed a worker would receive a written order that included his appointment, powers, and duties, and the testimony of many immigrants and Ansar confirmed this matter.) Al-Farouq by Imam Al-Shibli Al-Numani, p. 224, ed.: Dar Al-Salam, Riyadh.

- (Omar - may God Almighty be pleased with him - was very keen for people to know the duties of workers). [Al-Farouq, by Imam Al-Shibli Al-Numani, p. 225, ed.: Dar Al-Salam, Riyadh.

<sup>40</sup> (Sultan is the guardian of those who have no guardian.) [Sunan Abi Dawud, vol. 1, p. 284, Book of Marriage, Chapter on the Guardian, Qadimi Kutub Khanah, Karachi].

- (Disposition over the subjects depends on the interest, because the Muslim Imam is the general supervisor over all the subjects in public matters... because the Sultan was only given authority from God Almighty for the sake of preserving the blood of his servants and protecting their honor and money). [Explanation of the magazine by Salim Baz, vol. 1, p. 35, article (58), edition: Rashidiyah Library, Quetta].

- (Detailing the duties of workers according to what was stated in the orders of Omar, may God Almighty be pleased with him. Everyone who appointed a worker would receive a written order that included his appointment, his powers and duties, and the testimony of many immigrants and Ansar confirmed this matter.) Al-Farouq by Imam Al-Shibli Al-Numani, p. 224, ed.: Dar Al-Salam, Riyadh.

- (Omar - may God Almighty be pleased with him - was very keen for people to know the duties of workers).

Al-Farouq by Imam Al-Shibli Al-Numani, p. 225, ed.: Dar Al-Salam, Riyadh.

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## Chapter Two

### Final Provisions

#### Obligations of the complainant

##### **Article 19:**

(1) While filing a complaint, the complainants are obliged to comply with the following issues: <sup>41</sup>

- 1- Submitting a complaint in accordance with the provisions of Islamic Sharia.
- 2- Avoid providing unnecessary and baseless complaints.
- 3- Presenting the complaint in clear wording.

(2) If the complaint is proven to be baseless, the Ministry can advise him/her in an appropriate way. If the complainant wants to be referred to the court, he/she should be referred to the court. <sup>42</sup>

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<sup>41</sup> (And likewise, if they command them to do something that they do not know whether they will benefit from it or not, then they must obey it, because the obligation of obedience is established by a definite text.)

[Explanation of Sir Al-Kabir, vol. 1, part 1, p. 116, edition: Subhaniyah Library, Quetta].

(He said in “Al-Mi’raj”: Because obedience to the Imam in matters that are not disobedient is obligatory, oh).

Ard al-Muhtar, vol. 1, p. 615, edition: Rashidiyah Library, Quetta.

- Adherence to those systems that do not violate the provisions of Islamic Sharia is a legal obligation, because it is obedience to the ruler in the procedures he regulates based on the evidence of the transmitted interests, and those systems should include the Sharia rulings that have not been applied in this area.

[Islamic jurisprudence and its evidence, vol. 7, pp. 5215 and 5216. T: Amir Hamza Kutub Khanah, Quetta].

- (Then the laws and costs issued by the ruler become enforceable).

Islamic jurisprudence and its evidence, vol. 8, p. 6190, edition: Amir Hamza Kutub Khanah, Kuwaytah].

<sup>42</sup> (Whoever files a private lawsuit and it is proven to the court that the plaintiff lied in his claim, the judge may consider censuring him.

The defendant may demand compensation for the damage he sustained as a result of this lawsuit.

For the sake of completeness, Sharh Musafat Al-Hakam, vol. 1, p. 167, edition: Damascus].

- (Then the laws and costs issued by the ruler become enforceable).

Islamic jurisprudence and its evidence, vol. 8, p. 6190, edition: Amir Hamzah Kutub Khanah, Kuwaytah.

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## **Asking for clarification from the defendant**

### **Article 20:**

(1) Based on the provisions of this law, the Ministry can share the complaint with the defendant in order to clear the aspects of the case.<sup>43</sup>

(2) If the defendant does not provide the necessary explanations, the Ministry will send a delegation to the relevant authority to explain the matter. <sup>44</sup>

(3) If the complaint is proven to be correct in the case of paragraph (2) of this article, the defendant will be introduced to Excellency Amirul-Momenin (may Allah protect him). <sup>45</sup>

## **Good behavior with the defendant**

### **Article 21:**

(1) The complaint hearing officers of the ministry are obliged to treat the complainant well. <sup>46</sup>

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<sup>43</sup> (Omar bin Al-Khattab, may God Almighty be pleased with him, said: O Abu Ishaq, these people claim that you do not pray well! Abu Ishaq said: As for me, by God, I used to pray with them the prayer of the Messenger of God, may God bless him and grant him peace - and I did not stop praying the evening prayer with them. So he was more relaxed about the first two and lighter about the other two. He said: That is my opinion of you.

[Umdat al-Qari, Sharh Sahih al-Bukhari, Hadith No.: 755, vol. 5, p. 590, ed.: Rashidiyah Library, Kuwait]. - (Disposition over the subjects depends on the interest, because the Imam of Muslims is a general supervisor over all the subjects in public matters... because the Sultan was only given authority from God Almighty for the sake of protecting the blood of his servants and protecting their honor and money.

Explanation of the magazine by Salim, Baz, vol. 1, p. 35, article (58), ed.: Rashidiyah Library, Kuwait].

Based on the above, it becomes clear to us that people must adhere to the traffic regulations issued by the ruler, as God has commanded obedience to him in His noble saying: (O you who have believed, obey God and obey the Messenger and those in authority among you. If you dispute over anything, refer it to God and the Messenger, if you believe in God and the Last Day. That is better and has a better interpretation.) (An-Nisa: 59). [Hanafi jurisprudence in its new guise, vol. 3, p. 367, Rulings on Road Accidents, ed.: Haqqaniyya Library, Kuwait] - Then the laws and duties issued by the ruler become enforceable.)

Islamic jurisprudence and its evidence, vol. 8, p. 6190, edition: Amir Hamza Kutub Khanah, Kuwaytah.

<sup>44</sup> Previous references

<sup>45</sup> Previous references

<sup>46</sup> (The speech of some opponents to each other without obscenity does not require anything, because speech is necessary, but some of them should not speak to each other words that require punishment or punishment.)

[Umdat Al-Qari Sharh Sahih Al-Bukhari, Chapter on the Speech of Opponents About One Another, vol. 11, p. 754, ed.: Rashidiyah Library, Quetta].

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(2) Whenever the complainant is emotional while presenting the complaint and speaks in harsh words that do not lead to Had and Tazeer's punishments, the complaint hearing officer is obliged to keep the patient.

## **Preparation and proposing of regulations, bills, and procedures**

### **Article 22:**

In order to better implement the provisions of this law, the ministry should prepare the regulations, bills, and procedures and propose them to the respected authority of the Emirate.<sup>47</sup>

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<sup>47</sup> (Omar bin Al-Khattab, may God Almighty be pleased with him, was not convinced of the good selection of governors, but rather he determined for them the method of work and the rules that they followed, to be a basis for holding them accountable later).

Omar bin Al-Khattab and the Origins of Politics and Modern Administration by Suleiman Al-Tamawi, p. 275, Dar Al-Fikr, Cairo. - Disposition of the parish depends on the interest; Because the Imam of Muslims is a general supervisor over all the subjects in public matters... because the Sultan was only given authority from God Almighty for the sake of protecting the blood of his servants and protecting their honor and their wealth). [Explanation of the magazine by Salim, Baz, vol. 1, p. 35, article (58), edition: Rashidiyah Library, Kuwait]. Based on the above, it becomes clear to us that people must adhere to the traffic regulations issued by the ruler, as God has commanded obedience to him in His noble saying: "O you who have believed, obey God and obey the Messenger and those in authority among you. So if you dispute over anything, refute it." To God and the Messenger, if you believe in God and the Last Day. That is better and has a better interpretation.) (An-Nisa: 59). Hanafi jurisprudence in its new guise, vol. 3, p. 367, Rulings on Road Accidents, ed.: Haqqaniyah Library, Kuwait.

(In our time, in which livelihoods, methods of dealing, and life affairs have expanded, and the government's work has expanded, and its administration and ministry have diversified, the government needs to write down orders and regulations so that the government's work is managed regularly and with perfection.)

Politics of Sharia, p. 439, ed.: Dar Al-Ma'alim, Beirut.

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## **Enforcement**

### **Article 23:**

This law shall be effective from the effective date of its endorsement<sup>48</sup> and should be published in the official gazette<sup>49</sup> and other laws that have not been approved or endorsed by his excellency Amirul-Momenin (may Allah protect him) shall be canceled.<sup>50</sup>

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<sup>48</sup> (And likewise, if they command them to do something that they do not know whether they will benefit from it or not, then they must obey it, because the obligation of obedience is established by a definite text.

Explanation of the Great Sir, vol. 1, part 1, p. 116, ed.: Subhaniyah Library, Quetta].

(He said in “Al-Mi’raj”: Because obedience to the Imam in matters that are not disobedient is obligatory.)

Ard al-Muhtar, vol. 1, p. 615, Bab al-Eidin, ed.: Rashidiyah Library, Quetta]. - (His statement: The Sultan’s order is only implemented, meaning: it is followed and it is not permissible to violate it. It will come before the testimonies when he says: A judge ordered you to be cut off or stoned, etc. - the justification for the obligation of obeying the ruler. And in “T” on the authority of “Al-Hamwi”: The author of “Al-Bahr” mentioned on the authority of our imams. Obedience to the imam in matters other than disobedience is obligatory, so if he ordered fasting on that day, it is obligatory.

Conveyor

Radd al-Muhtar, vol. 4, pp. 382-383, ed.: Rashidiyya Library, Quetta].

- (Then the laws and costs issued by the ruler become enforceable).

Islamic jurisprudence and its evidence, vol. 8, p. 6190, edition: Amir Hamzah Kutub Khanah, Kuwaytah.

<sup>49</sup> ) (As for advertising in newspapers, they were not reports of incidents in the era of jurists, as is the case in our time. There is no research in the books of jurisprudence. Concerning advertising through this medium, however, advertising in our time through the aforementioned papers is also permissible, but since not all people read newspapers and know reading it, and since there are not newspapers in every place, it must also be announced by a herald in people’s gatherings, as the jurists said.

Durar Al-Hikam, Sharh Al-Ahkam Magazine, vol. 2, p. 249, edition: Dar Al-Jeel, Beirut.

<sup>50</sup> (Whoever is presented with a law takes from him an order to follow a law before him, by writing down his order to follow it).

Ard al-Muhtar, vol. 16, p. 598, published by Dar al-Salam, Damascus

(He said in “Al-Mi’raj”: Because obedience to the Imam in matters that are not disobedient is obligatory, ah).

Ard al-Muhtar, vol. 1, p. 615, Bab al-Eidin, ed.: Rashidiyah Library, Quetta].

(But) does the prohibition remain after the death of the sultan who prohibited it, such that no one after him needs a new prohibition? He issued a fatwa in “Al-Khairiyah” that the ban must be renewed and the ban should not continue after it, and that if the two parties disagree about whether it is prohibited or not prohibited, then the decision is up to the judge, unless the convict proves the prohibition and continues it for a long time and is good at it, then he should review it. As for what Mr. Al-Hamawi also

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mentioned, that he knew from their custom, meaning the sultans of the Othman family, whom the Most Gracious helped them, that if someone assumed a sultan, a law was presented to him and his order was taken to follow, then it is not useful here; Because what it means is that he adheres to the law of his predecessors by ordering what they ordered and forbidding what they prohibited. It does not mean that if he appoints a judge and does not forbid him from hearing this case, that his judge becomes terminated simply by doing so. Rather, it does mean that if he appoints him to appoint him, he explicitly forbids him so that he will implement what he has committed to from the law. It is also known that when he appoints him as governor now, he orders him in his publication to rule according to the most correct opinions of the school of thought, as was the custom of those before him. This was fully discussed in our book *Tanqih al-Hamidiyah*, so review it and we also discussed it at length in our book “Attention of Governors and Rulers.”

Radd al-Muhtar, vol. 4, p. 380, edition: Rashidiyya Library, Quetta.

- (They stated that what is permissible in itself may become forbidden from the ruling of the prince on the basis that God commanded them to be obeyed, so he said: Obey God and obey the Messenger and those in authority among you. Then if the prince decided to prevent people from eating something for a benefit that seemed to him, they must not eat it, And it is forbidden to them. However, this package is limited to the period of his emirate only, and does not exceed it, so it is a temporary prohibition. From this aspect is the prohibition of tombac, as some sultans have forbidden it, so memorize it.)

Fayd al-Bari on Sahih al-Bukhari, vol. 2, p. 408, ed.: Dar al-Kutub al-Ilmiyyah, Beirut.

God knows best what is right.

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