

In the name of Allah, the most merciful, the most compassionate

Praise be to Allah, the Lord of the Worlds, and Blessings and Peace be upon Muhammad, the Sayed (Greatest) of the Messengers, and His family and His Companions.

Decree of His Excellency *Amirul-Momenin*, May Allah protect him on forming Special Tribunals for Adjudicating Usurped Emirate (State) Lands

No. (289)

Date: 15 December 2023 (24/9/1402 H.S. | 2/6/1445 A.H.)

Article 1:

(1) For the purpose of issuing Shariah and legal verdicts regarding restitution cases involving usurped Emirate (State) lands, public grazing lands, and endowed lands in the South-Western provinces, the Special Tribunal for Adjudicating Usurped Emirate (State) Lands is hereby established in Kandahar province with the following composition:

- 1- Mawlawi Muhammad Afzal, Head of the Military Court of Kandahar zone during the Jihad period, as the President;
- 2- Mawlawi Muhibullah Akhundzada, former Mufti (Adjudicator) of the Public Security Division of the Orozgan Appellate Court, as the judge;
- 3- Mawlawi Abdul Jamal, former head of the Shamalzi district Primary Court of Zabul province, as the Mufti (Adjudicator);
- 4- Mufti Saifullah, former head of the Takhta Pul district Primary Court of Kandahar provinces, as the Clerk.

(2) The Special Tribunal for Adjudicating Cases of the Emirate (State) Usurped Lands for The South-Western provinces shall adjudicate cases of restitution of the Emirate (State), public grazing (derelict), and endowed lands of Kandahar, Helmand, Zabul, Oruzgan and Daikundi provinces.

Article 2:

(1) For the purpose of issuing Shariah/Legal verdicts regarding the cases of restitution of usurped Emirate (State), public grazing (derelict), and endowed lands in the Western provinces, the Special Tribunal for Adjudicating Usurped Emirate (State) Lands is hereby formed with following composition in Herat province:

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.

- 1- Mawlawi Abdul Mannan Muhajir, former head of the Public Security Division of the Herat province Appellate Court, as the president;
- 2- Mawlawi Aminullah Shafiq, former head of the Civil Division of the Farah Province Urban Primary Court, as the judge;
- 3- Mawlawi Qiyamuddin, former head of the Dilaram district Primary Court of Nimroz province, as the Mufti (Adjudicator);
- 4- Mawlawi Abdullah, former Clerk of the Penal Division of the Nimroz province Appellate Court, as the Clerk.

(2) The Special Tribunal for Adjudicating Cases of the Emirate (State) Usurped Lands for The Western provinces shall adjudicate cases of restitution of the Emirate (State), public grazing (derelict), and endowed lands of Herat, Farah, Nimroz, and Badghis provinces.

Article 3:

(1) For the purpose of issuing Shariah/Legal verdicts regarding the cases of restitution of usurped Emirate (State), public grazing (derelict), and endowed lands in the Northern provinces, the Special Tribunal for Adjudicating Usurped Emirate (State) Lands is hereby formed with following composition in Balkh province:

- 1- Mawlawi Muhammad Qasim, former Mufti (Adjudicator) of the Public Security Division of the Faryab province Appellate Court, as the president;
- 2- Mawlawi Qutbuddin, former Mufti (Adjudicator) of the Chahar Dara district Primary Court of Kunduz province, as the judge;
- 3- Mawlawi Sher Agha, former Mufti (Adjudicator) of the Qarqeen district Primary Court of Jowzjan province, as the Mufti (Adjudicator);
- 4- Mawlawi Gul Ahmad, former Mufti (Adjudicator) of the Commerce Division of the Urban Primary Court of Balkh province, as the Clerk.

(2) The Special Tribunal for Adjudicating Cases of the Emirate (State) Usurped Lands for The Northern provinces shall adjudicate cases of restitution of the Emirate (State), public grazing (derelict), and endowed lands of Balkh, Baghlan, Kunduz, Takhar, Badakhshan, Samangan, Sar-e-Pul, Jawzjan and Faryab provinces.

Article 4:

(1) The Special Tribunal for Adjudicating Cases of Restitution of the Emirate (State), Public Grazing (Derelict) and Endowed Lands, established based on Decree no. (3), dated 3 October 2023 (7/3/1444 A.H.), shall adjudicate cases of restitution of the

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.

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.

Emirate (State), public grazing (derelict) and endowed lands of Kabul, Parwan, Kapisa, Panjshir, Nangarhar, Kunar, Laghman, Nuristan, Paktia, Paktika, Khost, Logar, Maidan Wardak, Ghazni, Bamiyan, and Ghor provinces.

(2) The Special Tribunal, referred to in paragraph (1) of this article, shall refer to the case files of the usurped Emirate (State), Public Grazing (Derelict), and Endowed lands of the provinces mentioned in paragraphs no. (2) of articles 1, 2, and 3 of this Decree to the relevant Special Tribunal for the purpose of adjudication and issuing Shariah/Legal verdict.

Article 5:

This Decree shall enter into force after it is signed and promulgated in the Official Gazette.

Peace be upon you

Amirul-Momenin Sheikh al-Quran wa al-Hadith

Mawlawi Hibatullah Akhundzada