

**Islamic Republic of Afghanistan
The Supreme Court**

**Law of the Organization and Authority
of the Courts of Islamic Republic of Afghanistan**

Chapter One General Provisions

Objective:

Article 1:

This law has been enacted pursuant to the provisions of Articles 116 and 123 of the Constitution for the purpose of managing the affairs related to the organization of the judiciary, duties and powers of the Supreme Court, primary and appeal courts and judges of the Islamic Republic of Afghanistan.

Independence:

Article 2:

The Judiciary shall be the independent pillar of the state and composed of Supreme Court, Courts of Appeal and Primary Courts. Traveling courts may be established when needed, on recommendation by the Supreme Court and approval of the President.

Dispute Resolution

Article 3:

The Judiciary may resolve disputes between and among individuals, legal entities including the state in accordance with law.

Jurisdiction

Article 4:

No law under any circumstances may take a case out of the jurisdiction of judiciary and submit it to a different authority.

This article may not hamper the formation of specialized courts and military courts set forth in article 69, 78 and 127 of the Constitution.

Appealing

Article 5:

The parties to the case may appeal against decisions issued by the lower courts in accordance with law. The final decisions of the courts shall be considered exception to this provision.

Resolution Methodology

Article 6:

- (1) The cases shall be resolved in courts taking into consideration the quality and nature of the case in two stages, primary and appeal.
- (2) The supreme court shall deal with the referred cases of courts of appeal only in terms of accurate application of law (to see if any provision of law is breached or accurately applied), unless it has been authorized by law to resolve a case taking into consideration the quality and nature of the case.
- (3) Cases in courts shall be handled as follows:
 1. At the primary stage, with participation of three judges. Except less than three judges may decide a case when they are not available.
 2. At the appeal stage, three judges shall decide any case.
 3. At the cessation stage, shall take place by two or more persons

Decision Source

Article 7:

The courts shall resolve cases in accordance with the constitution and other laws of the Islamic Republic of Afghanistan. If there is no clear legal provision for the case, the case shall be handled in accordance with articles 130 and 131 of the constitution.

Open Trial

Article 8:

Trials in the Afghanistan courts shall happen in open procedure in which everybody may attend, subject to law. The court may convene the trials in a close procedure only if they are legally required or that it is deemed necessary. Making notice of the final decision shall always be open to public.

Legal Citation

Article 9:

The courts shall be duty bound to rely on the reasons, grounds and legal provisions for a decision to issue.

Enforceability of Decisions

Article 10:

The courts final decisions shall be enforceable unless it is about a death sentence, which requires approval of the president.

Right to have Defense Attorney

Article 11:

Everybody shall be entitled to a defense attorney immediately after his/her arrest to remove the accusation charged against. In criminal cases, there shall be assigned defense attorneys for the destitute in accordance with the relevant legislation.

Translator/Interpreter

Article 12:

If the party does not speak the official language that trial is held in, translator/interpreter may help him/her understand articles and details of case and shall have the right to speak in his/her native language before the court.

Non-refusing of ruling

Article 13:

The court may not refuse to issue an order in any case that is under its proceeding. A case may leave the court only after decision is taken.

Independence in Issuing Decision

Article 14:

Courts shall be independent but subject to law only when issuing orders. Resolving a case and issuing an order by the courts shall be based on the principle of the parties' mutual equality before the law and the court and obeying justice and impartiality.

No Party Membership

Article 15:

Judges may not hold membership in any political party while working as judge.

Chapter Two Organization, Structure and Jurisdiction of the Supreme Court

The Supreme Court

Article 16:

The Supreme Court constitutes the highest authority of the judiciary of the Islamic Republic of Afghanistan.

Organization of the Supreme Court

Article 17:

The Supreme Court shall be composed of nine persons appointed by the president in an agreement with Wolusi Jirga (house of people) in accordance with article one hundred seventeen and one hundred eighteen of the Constitution. The president shall appoint one of the members as the chief of the Supreme Court.

Supreme Court *Dewans*

Article 18:

1. The Supreme Court shall be consisted of the following Dewans:
 - a. General Criminal Dewan
 - b. Public Security Dewan
 - c. Civil and Public Rights Dewan
 - d. Commercial Dewan

2. Each Dewan set forth in clause one of the current article shall be headed by a member of the Supreme Court as selected on rotation basis by the chief justice for the period of one year.

Powers of heads of Dewans:

Article 19:

Each head of the Supreme Court Dewans shall have the following powers and duties:

1. Leading relevant Dewan's activities.
2. Holding and presiding over relevant Dewan's sessions.

3. Arranging affairs, coordinating judicial experiences of the Dewans and submission of report to the Supreme Court.

Judicial advisors

Article 20:

The Supreme Court shall have judicial advisors and their total number may not be more than thirty six persons.

Appointment of judicial advisors:

Article 21:

Judicial advisors of the Supreme Court shall be selected from among the judges who have required qualification, sufficiency and full competency, and at least have ten years practical judicial work experience.

Assignment of judicial advisors to the Dewans shall be the authority of chief justice.

Adisors' duties:

Article 22:

The judicial advisors shall analyze and study the cases filed and provide a report to the judicial meeting for decision to be made.

General Administration Office of the Judiciary

Article 23:

1. The judiciary shall have General Directorate of Administration to manage issues related to judicial and administration affairs.
2. Head of the Administration Office of the Judiciary shall be appointed on the recommendation of the chief justice and approval of the president. Head of the Administration Office of the Judiciary shall at the same time be both the secretary and spokesman for the Supreme Court and shall have the following qualities:
 - 1) Must not be younger than 30 upon appointment.
 - 2) Have higher education and have enough administrative experience.
 - 3) Have good character and moral and be well-known.
 - 4) Not be convicted with anti-human crime, felony or deprived from civil rights.
3. The Supreme Court shall have professional and administrative branches, which operate under the framework of General Administration Office of the Judiciary. Organization and structure of the professional and administrative branches shall be regulated by special regulation.

4. General Administrative Office may create, if required, other branches after the consent of Supreme Court and approval of the President

Judicial powers and duties of the Supreme Court:

Article 24:

The Supreme Court shall have the following jurisdictions and duties within the scope of interpretation of laws and judicial issues:

- 1) Assessment on conformity of laws, decrees, legal documents, international contracts and conventions with the Constitution and their interpretation based on the government or courts demand in accordance with law.
- 2) Propose for draft law on regulating the judicial affairs to the national assembly through government.
- 3) Revising the rulings of courts due to presence of new reasons based on complaint by the AGO or by party to the claim according to the mentioned provisions and arrangement in the law.
- 4) resolving Courts' Conflict of Jurisdiction and submitting jurisdiction of resolving a case from one court to the other based on proposal by the AGO or party to the claim when reasonable grounds arise.
- 5) Studying reasons and making decision on extraditing criminals to foreign states in accordance with law.
- 6) Studying reasons of a charge made and making decision on submitting the Afghan citizen to the foreign state in the light of article 28 of the Constitution.
- 7) Ensuring uniformity in judicial treatment.
- 8) Taking measures on criminal and disciplinary offences by judges.
- 9) Evaluating the courts inquiries on judicial issues and providing responses accordingly.

Convening sessions:

Article 25:

1. The Supreme Court shall convene its regular sessions once in fifteen days.

The Supreme Court's extraordinary sessions shall be convened on a request by the chief justice, proposal by the AGO or on the demand by one-third of its members.

2. The required number to attend the Supreme Court meetings shall be completed by two-third of its members. The decisions shall be made upon by majority vote unless this law mentions different.
3. Attorney general or, in case absent, his/her deputy to whom his/her jurisdiction was transferred shall attend the Supreme Court meetings on criminal issues.
4. On the issues mentioned in clauses 1, 2, 3, 4, 5,6 and 8 of article 24 of this law, decision may be made by two-third majority of the entire members of the Supreme Court.

Overturning the lower courts decisions:

Article 26:

1. If a Supreme Court Dewan determines that the lower court ruling was contrary to the law, fails to conform or interpret or contrary to the articles 130 and 131 of the Constitution, it shall overturn the ruling and remand it to the lower court for issuance of ruling. The Supreme Court Dewan may overturn a ruling which it observes as contrary to the law even if the breach is not mentioned in the appeal.
2. If the failure in consistency or interpreting the law does not substantially affect the ruling and the ruling is accurate and agrees to the law, the relevant Dewan may confirm it.

Remand for invalidity:

Article 27:

1. If the Supreme Court Dewan overturns the appealable ruling due to invalidity in the order or invalidity in the basic procedures of the order, it shall remand the case to the relevant court by mentioning the reasons for a decision. In the event the case is remanded to the first court, majority of the judges who consider the case shall not have decided the case before the appeal.
2. If there is a second appeal against the decision of the court for which the case was previously remanded and the appeal is based on the previous reasons and grounds and the referred court has issued the previous ruling (overturned by supreme court) with the same (first) reasons, the Supreme Court shall take the issue into further study. If the appealed case is overturned by the majority vote of the Court for related cases, the court for which the remanded ruling was referred shall resolve and issue ruling and in this case the referred court shall be duty bound to respect the instructed resolution by the Supreme Court and their ruling at this stage shall be final.

Enforceability of orders and Rulings(Qarar):

Article 28:

The orders and *Qarars* by the higher court shall be enforceable on the lower courts on newly resolving of cases.

Administrative Duties and jurisdictions of Supreme Court:

Article 29:

(1) The Supreme Court shall have the following duties and jurisdictions in its relevant administration affairs:

1. Prepare the budget for the judiciary in consultation with the government
2. lead and control the administrative activities of courts of Islamic Republic of Afghanistan
3. Approve rules and regulations to regulate matters concerning judicial and administration of courts.
4. Evaluate the results of judicial scrutiny and studies and taking measures to remove defects and coordinate courts' procedures.
5. Propose on the appointment of judges and judicial advisors to the president's office according to provisions of this law.
6. Propose on the appointment, transfer, upgrading, extension of the appointments' duration and retirement of judges according to the provisions of this law.
7. Propose on the establishment of courts and legal document registration directorates, and their specification of judicial and administration jurisdiction to the president's office.
8. Implement the budget of the judiciary.
9. Providing necessary facilities for the courts' activities.
10. Holding judicial practice course.
11. Taking appropriate measures for enhancing the knowledge and experiences of judges.
12. Monitor performances and activities of employees of judicial authority.
13. Prepare annual statistic report of all courts judicial activities.
14. Other duties and jurisdictions which are delegated to Supreme Court according to this law and all other laws.

(2) The powers set forth in clause one of this article shall be implemented through the General Administration Office of the Judiciary.

Powers of the head of Supreme Court (chief justice)

Article 30:

The chief justice shall represent the Judicial Authority of Islamic Republic of Afghanistan and shall have the following jurisdiction and duties:

1. lead the judicial and administrative activities of the Supreme Court;
2. preside over the meetings of the Supreme Court;
3. chair the judicial sessions of the relevant Dewans of the Supreme Court as needed;
4. issue orders on the inspection of courts' activities;

5. issue orders on resolving cases resulting from crimes and judicial and administrative violation by judges;
6. monitor the implementation of courts final decisions;
7. monitor and control appropriate expenditure of the judicial budget;
8. delegate all or some of his/her powers to one of the members of the Supreme Court when sick, on leave, absence and other reasons;
9. monitor activities the General Administration Office of the judiciary;
10. provide reports on judicial and administrative activities of the judiciary to the president;
11. Propose on pardoning, mitigation of imprisonment and other punishments of judges to the president's office;
12. other assigned powers in accordance with the provisions of this and other laws;

Chapter Three

Organization, Structure and powers of the Courts of Appeal:

Organization of the Court of Appeals:

Article 31:

- (1) Court of Appeals shall be established in all the provinces in accordance with this law.
- (2) The Court of Appeals shall be composed of chief of the court, heads of Dewans and other judicial members. Head of the Court of Appeals shall be selected from among the judges who have enough qualification, experience and competency.
- (3) Head of the General Criminal Dewan shall be deputy head of court of appeals.

Structure of Dewans of Courts of Appeal:

Article 32:

- (1) The Courts of Appeal shall contain the following Dewans:
 1. General Criminal Dewan
 2. Public Security Dewan
 3. Civil and Family Dewan
 4. Public Rights Dewan
 5. Commercial Dewan
 6. Juveniles Dewan
- (2) There shall not be more than six judicial members within each Dewan of the Court of Appeals.
- (3) General Criminal Dewan of court of appeals shall resolve traffic originated cases.
- (4) The Supreme Court may as needed establish other Dewans within the structure of the Court of Appeals with the approval of the President.

Follow-up on decisions and rulings (Qarar)

Article 33

(1) The Court of Appeals shall oversee the rulings and decisions of the lower courts, in situations according to the provisions of the related laws.

(2) The Court of Appeals while resolving cases set forth in clause (1) of this article shall reconsider the whole legal process. It may correct, overturn, amend, confirm or repeal the rulings and decisions of the lower courts.

Resolving Conflict of Judicial Jurisdiction

Article 34:

(1) Whenever there is a conflict over jurisdiction of resolving a criminal case between two courts within jurisdiction of a single Court of Appeals, an authorized board made up of the chief of the Court of Appeals as head and the heads of Dewans shall decide on which court has the jurisdiction to decide a case.

(2) Deciding about the future of the accused that is in custody as mentioned in clause (1) of this article shall only be the jurisdiction of the Court of Appeals.

Finality of decisions and rulings

Article 35:

The issued decisions and rulings of the Court of Appeals shall be final in all relevant cases.

Duties and Powers of head of the Court of Appeals

Article 36:

The head of the Court of Appeals has the following responsibilities and powers:

1. lead and organize activities of the respective Dewans
2. Preside over the judicial meetings of the Dewans, when necessary
3. Assign member of one Dewan to another on temporary basis.
4. Assign one of the judges of the court of appeals to the primary courts when necessary.
5. Delegate the authority of resolving a certain case from one Dewan to another, when necessary.
6. Coordinate judicial experiences of respective Dewans.
7. Preparation of activity reports of Dewans and courts and delivery of the reports to the Supreme Court.

Presiding over meetings

Article 37:

Heads of the Dewans of the Court of Appeals shall have the responsibility of leading the respective Dewans as well as presiding over meetings. In case head of the court of appeals presides over judicial meeting, the head of respective Dewan shall then be considered as member.

Responsibility

Article 38:

The head of each Court of Appeals and each judge and head of each Dewan shall be responsible for deciding cases in a timely manner according to the law, correct application of the law, and for explaining the ground for their decision.

Branches of the Court of Appeals

Article 39:

Each Court of Appeals and relevant Dewans shall have administrative branches and personnel whose activities and manner of performance shall be specified through separate regulations.

Chapter Four

Organization, Structure and Jurisdictions of Primary Courts

Organization

Article 40:

(1) In the jurisdictional area of each Court of Appeals, there are these primary courts:

1. Central provincial primary court
2. Juveniles Court
3. Commercial Primary Court
4. District Primary Court
5. Family Issues primary court

(2) The Supreme Court may establish more courts in the centers of provinces when required after approval of the president.

Primary Court Structure

Article 41:

(1) A Central primary court shall be comprised of the following Dewans:

1. General Criminal Dewan
2. Civil Dewan
3. Public Rights Dewan
4. Public Security Dewan
5. Traffic Criminal Dewan

(2) The Dewans of central primary court shall have one head and no more than four members.

Resolving cases by Dewans of primary courts

Article 42:

Central provincial primary courts shall have the relevant Dewans to resolve cases in primary level in accordance with law:

1. Resolving general criminal cases by General Criminal Dewan.
2. Resolving civil disputes between natural persons by Civil Dewan.
3. Resolving civil disputes between natural and legal individuals/entities or among legal entities by Public Rights Dewan.
4. Resolving criminal cases of public security and interest, drug trafficking and other crimes by Public Security Dewan in accordance with law.
5. Resolving traffic criminal cases by Traffic related Crimes Dewan.

Leading court and Dewans

Article 43:

(1) There shall be a head for the central provincial primary court to lead and manage the judicial and administrative activities of the Dewans and shall attend their meetings when required.

(2) Heads of the primary court Dewans shall lead meetings of Dewans. In case head of the primary court presides over judicial meeting of the Dewan, head of the respective Dewan shall thus be considered as member.

(3) Head of the General Criminal Dewan shall at the same time be deputy head of the central primary court.

Juvenile court

Article 44:

(1) There shall be established a juvenile primary court in the center of every province.

(2) The juvenile primary court shall be made up of a head and four members.

In case the head is absent due to any reason, his/her powers and duties shall be transferred to one of the judicially experienced judges.

(3) The method to resolve juveniles' offences shall be determined by a special regulation.

Commercial Primary Court

Article 45:

(1) A commercial court shall be established in center of every province. This court shall have a chief and four other members.

(2) In provinces where commercial court is not available, dealing with commercial cases is the jurisdiction of the civil Dewan of the provincial central primary court.

Resolving special cases

Article 46:

Based on the case, the commercial, public rights and public security cases within the judicial jurisdiction of a Court of Appeals shall be initiated in the commercial court and in the relevant Dewans of the provincial central primary court.

District Primary Court Structure

Article 47

(1) The District primary court shall consist of a chief and two members. In the areas where there are no members available, the cases shall be decided by fewer than three.

(2) The chief of the district primary court shall lead the court. In his/her absence, the responsibilities and powers shall be transferred to the most judicially experienced judge on the court.

District Primary Court Jurisdiction

Article 48:

District Primary courts shall deal in primary stage with all ordinary criminal, civil and family cases which are legally presented to them.

Temporary Assignment of Judge

Article 49:

In case of the article 48 of this law, whenever the court has only one judge or some other situation occurs which requires the assignment of temporary judge; the chief of the Court of Appeals shall have the authority to appoint one of the Court of Appeals' judges on temporary service basis.

Establishing Other necessary Dewans

Article 50:

(1) The Supreme Court may, as needed, establish other Dewans within structure of the CENTRAL provincial primary courts after approval of the president.

(2) The Supreme Court may, as needed, establish other Dewans within structure of DISTRICT provincial primary courts after approval of the president.

Resolving multiple crimes

Article 51:

(1) A criminal shall be tried in the court which has the jurisdiction of resolving cases, in accordance with this and other laws. In case a person commits multiple crimes each of which requires an individual resolving by different courts, the courts dealing with serious crimes shall have jurisdiction of resolving the case first. In case the committed crimes are in one level of gravity, the jurisdiction of resolving the case shall be on the court which has already begun resolving the charges made against the accused.

(2) If a person committed multiple crimes which in terms of jurisdiction is subject to two (specialized and ordinary) courts, each of the courts shall based on the nature of the crime have jurisdiction on the case. In case the committed crime is multiple which is indivisible, the case shall be resolved by the court which has jurisdiction of resolving crimes of higher gravity.

(3) Crime accessories and assistants shall be tried in the court in which the actual criminal is tried.

Responsibility

Article 52:

The chief of each Primary Court, heads of Dewans and their judicial members shall be responsible for deciding cases in a timely manner according to the law, correct application of the law, and for explaining the ground for their decision.

Finality of Decision

Article 53:

The decisions of the primary courts are absolute and final in the following situations:

1. When both parties agree upon the issued decision of the court.
2. When the time for appealing has expired.
3. When the disputed property is worth up to 100,000 Afgs.
4. When the order for a cash fine of 50,000 Afgs is issued
5. Other situations set forth in law.

Administrative Branches

Article 54:

Primary courts shall have some administrative branches and personnel whose activities and manner of performance shall be specified through separate regulations.

Registration of documents and deeds branches

Article 55:

(1) In the structure of every Court of Appeals, there shall be established Directorates of Documents and Deeds Registration (DDDR). There shall be a head in charge of a directorate and shall lead and manage the activities of the directorate.

(2) The head and professional members of the DDDR shall be appointed from among the judges who have judicial authority.

(3) In the districts where there is no such directorate for legal documents registration, the district courts shall have the authority to perform these duties.

(4) Duties and powers of the DDDR's shall be regulated through special legislation.

Registration of documents and trademarks

Article 56:

Registration of commercial documents and trade marks shall be the jurisdiction of the commercial court.

Reporting

Article 57:

Heads of the primary courts and DDDR's shall be duty bound to report on their activities to the court of appeals.

Chapter Five

Issues concerning judges and the employees of the judiciary power

Conditions of being judge

Article 58:

(1) On the recommendation of the Supreme Court and with approval of the president, any qualified person meeting following requirements shall be appointed as a judge:

1. Upon appointment as judge, hold the citizenship of Islamic Republic of Afghanistan for at least ten yeas.
2. Not be convicted of any crime or intentional misdemeanor by absolute and final decision of an authorized court.
3. Hold the BA degree from any faculties of law or Shariha or above it or holds diploma on Religious Studies from an officially recognized center or equivalent.
4. Not have any illness or disability which impedes a judge performance of duties.
5. Has completed the age of 25 upon appointment.
6. Have passed the practical stage of judicial training course successfully.

(2) The holder of diploma on religious studies from an officially recognized center or equivalent and by meeting the requirements set forth in conditions 1,2,4,5 and 6 of clause 1 of this article may be appointed as member in the primary court for a period of first three years.

(3) When the number of applicants exceeds the number of vacancies available, the Supreme Court may add more conditions for its admission.

Oath taking

Article 59:

Before occupying the position as judge, a person must swear in front of chief and members of Supreme Court as follow:

“I swear by the name of the Almighty Allah that I perform my duty with full trust and dignity and impartiality, respect and implement provision of Islamic shariah , constitution of Afghanistan and other laws of the country , respect confidentiality of my duty ,will not commit any crime , violation of other rights, injustice and bribery directly and in directly.”

This text must be written on a board and after signature of the judge be hung where the judge is employed.

Appointment and transfer of judges

Article 60:

(1) The appointment, transfer, upgrading, retirement, extension of the appointments’ duration, offering approval and accepting the resignation of judges from grade 1 and above are made upon the recommendation of the supreme court with the approval of the president.

(2) The appointment, transfer, upgrading, retirement, extension of the appointments’ duration, offering approval and accepting the resignation of judges of grade 2 or lower shall be made upon the recommendation of the head of General Administration Directorate of the judiciary with the approval of chief of the Supreme Court.

Appointment and transfer of administrative staff

Article 61:

(1) The appointments, transfer, upgrading, retirement, extension of the appointments’ duration, offering approval and acceptance to the resignations of the administrative staff of the judiciary in HIHG grade and HIGHER grade and contractors of above grade shall be made upon the recommendation of the Chief Justice and approval of the President.

(2) Appointments, transfer, upgrading, retirement, extension of the appointments’ duration, offering approval and acceptance the resignation of the administrative staff of grade one and contractors of grade one or lower shall be made upon the recommendation by the head of General Administration Directorate of the judiciary and approval of the Chief Justice.

Judges Retirement

Article 62:

(1) A judge shall be retired in the following and may not be re-employed:

1. Up on completion of 40 years of practical service.
2. Permanent overall disability and continuous illnesses which hamper job performance.
3. Up on completion of age of 65.
4. Other situations mentioned in law.

(2) The Supreme Court when needed may, before forwarding the issue of retirement of 65 year-old judge to the authorities, extend his/her employment for another 10 years if the judge is knowledgeable with academic and professional experiences.

The approval for continuation of service shall be renewed every year.

Judges transfer

Article 63:

(1) A judge may not be transferred before three years except at his/her personal request based on reasonable grounds.

(2) The normal transfer of a judge shall occur in the last month of the solar year (Hoot) and shall be valid as of the first month of the next year.

Appreciation Letters

Article 64:

(1) Appreciation Letters for judges and judicial administration employees shall be distributed on the recommendation of the chief justice with approval of or directly by the President.

(2) Grade 2 and 3 Appreciation Letters, appraisal letters and cash benefits for judges and administrative staff of the judiciary shall be offered on recommendation of general administration director and approval of or directly by the chief justice.

Implementing labor and civil servants law

Article 65:

(1) Conditions and circumstances of appointment, transfer, upgrading, extending appointment duration, approval and accepting resignation, leave and other merits, privileges and duties of judges and administrative staff of the judiciary not mentioned in this law shall be exercised in accordance with labor law, civil service law and other respective legislations.

(2) for the purpose of upgrading judges, in addition to the terms and conditions set forth in clause 1 of this article, quality of decisions issued by judges are also considered.

Professional privileges

Article 66:

Judges shall be entitled to judicial benefits, issues regarding requirements for judicial grade assignment, upgrading conditions and determining amount of the benefits shall be specified through separate regulation.

Judicial benefits shall be part of the salary.

Chapter Six Judges disciplinary and punishment measures

Judges detention

Article 67:

- 1) A judge can not be arrested or detained without the approval of the president except where the evidence against him/her is compelling.
- 2) Whenever a judge is accused with a felony crime, the Supreme Court shall resolve the case in accordance with article 133 of the Constitution.

Judges disciplinary measures

Article 68:

Disciplinary measures for judges shall take place according to particular regulation approved by the Supreme Court.

Chapter Seven Miscellaneous Provisions

Reemployment of resigned judges

Article 69:

A resigned judge upon requesting to continue again within judicial power may be reemployed at the same grade from which he/she resigned.

Situations mentioned in article 62 of this law shall be considered exception.

Judges Dress

Article 70:

Judges while hearing a case must be dressed up in special clothing as set forth in the law.

Identity Card

Article 71:

Judges shall be issued particular ID cards whose format and contents shall be prepared and designed by the Supreme Court.

Stamp

Article 72:

Supreme Court, Courts of Appeal, Primary Courts, Special Courts, General Administration Directorate of the Judiciary and Documents and Deeds Registration Directorates shall all have special stamps.

Judges and Courts Security

Article 73:

(1) The Ministry of Interior and other security authorities shall be duty bound to ensure security and protection of judges, respective offices and courthouses.

(2) The agencies mentioned in clause 1 of this article shall be duty bound to implement the court final rulings and decisions.

Salary

Article 74:

The judicial members of the Supreme Court, judicial advisors and judges of courts shall be paid enough salary in accordance with the article 155 of the Constitution. Amount of their salary shall be specified in relevant law.

Registration of Assets

Article 75:

Judges of the courts and authorities in charge of the Documents and Deeds Registration Directorate shall be duty bound to register their real and unreal estates before assuming responsibility.

Special Publication

Article 76:

(1) The Supreme Court shall have special publication of its own.

(2) In order to unify judicial methodology, research and follow-up as required necessary by the Supreme Court, the final decisions of the courts shall be published.

Enforcement Date

Article 77:

This law shall come into force after approval by the president and should be published in the official gazette. By application of this law, provisions of law of Organization and Authority of Courts published in official gazette no (739) dated Hamal 11, 1370 (1991) and other contradicting laws shall be repealed.