DECREES, ORDERS AND INSTRUCTIONS OF HIS EXCELLENCY, AMIR AL-MU'MININ

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This issue contains decrees, orders and instructions of His Excellency the Amir al-Mu'minin, may Allah protect him, from 1437, 1438, 1440, 1441, 1442, 1443 and 1444 lunar hijri [2016, 2017, 2019, 2020, 2021, 2022 and 2023]

* The decrees use both the solar hijri calendar (the most commonly used in Afghanistan), which starts with the flight of the Prophet Muhammad from Mecca to Medina, the Hejira, in 622 CE counted in solar years, and also the lunar hijri calendar (the pan-Muslim calendar) starting from the same date, but then counted in lunar cycles, giving a 'year' of 354 or 355 days.

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ORDER REGARDING PRISONERS OF WAR (85/VOL 1)

In the name of Allah, the most merciful

The order of his excellency Amir al-Mu'minin, may Allah protect him, regarding prisoners of war

No: (85/Vol 1)

Date: 20/9/1437 lunar hijri [25 June 2016]

To all respected mujahedin[1] of the Islamic Emirate of Afghanistan

Peace and Allah's mercy and blessings be upon you.

As you know, our jihadi fight aims to gain Allah's satisfaction and uphold the word of God. As such, in this regard, it is obligatory for us to avoid disobeying the Sharia rulings or of the Amir.

There have been instances [however], in recent days, of captured prisoners of war being arbitrarily subjected to *tazir* [discretionary][2] or inappropriate punishment and in some cases, even killing without the knowledge of the Islamic Emirate of Afghanistan's General Directorate of Courts.

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[1] 'Mujahedin' is how the Taleban refer to themselves.

[2] Tazir are one of Islamic law's standard three-way categorisation of punishments (also used by the Republic). The punishments are given at the discretion of a judge or ruler for all offences except those covered by the first two categories: hudud and qisas.

Hudud offences have punishments viewed as fixed by the Qur'an or Hadith and are perceived as offences against God; they include zina (sex outside marriage), accusing someone falsely of zina, drinking alcohol and some types of theft.

Qisas is a form of retributive justice between the victim or their family and the perpetrator. It allows for the equal retaliation in cases of intentional bodily harm, up to and including murder. These crimes may also be forgiven by the victim or their family, or resolved between families with blood money or by giving a bride to the victim or a member of their family in what is called a bad marriage (this type of marriage was banned by Mullah Omar during the Taleban's first emirate and in December 2021 (decree number 83, vol 1) by Hibatullah.

Different offences within all three categories may receive corporal, capital or other types of punishment.

Actions like these are contrary to both Sharia and the Islamic Emirate of Afghanistan's Layha [Code of Conduct][3] because Sharia says that, no matter how huge someone's crime is before their arrest, the ruling concerning their case changes once they are in custody. Everything regarding their punishment is reserved to the Amir or his deputy, so no one else has the right to punish or exempt them [from punishment]. There are obvious articles about this in the Islamic Emirate of Afghanistan's Layha (sufficient details are given in part 2 of the Layha in the chapter concerning prisoners, articles 9-16). Likewise, filming the scene of a killing is prohibited in the Layha. Article 21 states: "If a criminal deserves execution according to Sharia and an order is issued for this, they should be killed by firing from a rifle if the person is [convicted of] spying or [involved in other] crimes, the scene should never be filmed."

Therefore, the mujahedin are instructed, from now on, to refrain from repeating such acts in the future because they contradict our jihadi policy and disobey the Amir. The mujahedin should pay their utmost attention to this.

wa al-salam [Peace/With regards]

Amir al-Mu'minin, Sheikh al-Quran and al-Hadith [Authority in teaching Quran and Hadith]

Mawlawi Hibatullah Akhundzada

[3] For more on the Taleban's insurgency-era Layha their code of conduct for fighters and officials, issued in different versions in 2006, 2009 and 2010 see Kate Clark 'The Layha: Calling the Taleban to Account', July 2011.

INSTRUCTION CONFIRMING VALIDITY OF ALL EDITS ISSUED BY THE LATE MULLAH, AKHTAR MUHAMMAD MANSUR (82/VOL 1)

In the name of Allah, the most merciful

No: (82/Vol 1)

Date: 25/8/1437 lunar hijri [1 June 2016]

To the High Directorate of Courts

Peace and Allah's mercy and blessings be upon you.

Regulations, decrees and bills [*lawaih*] governing the judiciary, which were approved and enacted during the Emirate of Amir al-Mu'minin, the martyred mullah, Akhtar Muhammad Mansur (may the blessings of Allah be upon him), are also accepted by me and must be implemented. All judges and officials of the country are obliged to follow them starting today,

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

INSTRUCTION FORBIDDING PERSECUTION OF THOSE AFFORDED A CERTIFICATE OF PROTECTION (86/VOL 1)

In the name of Allah, the most merciful

No: (86/Vol 1)

Date: 5 Shawwal 1437 lunar hijri [10 July 2016]

To all mujahedin of the Islamic Emirate of Afghanistan

Peace and Allah's mercy and blessings be upon you.

The persecution, [amounting] even [to] killing, of those who have been granted protection according to Sharia rules and possess a certificate of protection is considered to be treachery in Islam and is a major sin. Henceforth, you must refrain from actions like these in the future and avoid committing them. Anyone doing this again will be tried according to Sharia and face any punishment specified in the sacred Sharia.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

INSTRUCTION BARRING DEMANDS THAT THOSE LEAVING THE FORMER GOVERNMENT SHOULD BE ARMED (87/VOL 1)

In the name of Allah, the most merciful

No: (87/Vol 1)

Date: 5/Shawwal/1437 lunar hijri [10 July 2016]

To all mujahedin of the Islamic Emirate of Afghanistan

Peace and Allah's mercy and blessings be upon you.

The mujahedin in some places have made leaving the corrupt administration [the Islamic Republic of Afghanistan] conditional on [the person leaving bringing] arms [with him]; [the mujahedin] tell those [who are willing to leave] that, either you come over armed, or otherwise if you are unarmed, no protection will be granted.

Brothers! We consulted religious scholars *[ulema]* about this and the scholars advised that there is no such article in the sacred Sharia about this. Therefore, do not prevent anyone in future from leaving the corrupt administration, whether armed or unarmed. Grant them protection so that no disobedience of the sacred Sharia occurs.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE CONCERNING COOPERATING WITH THE DEPARTMENT FOR INVITATION AND GUIDANCE ON PROMOTING VIRTUE AND PREVENTING VICE (33/ VOL 2)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning cooperating with the Department for Invitation and Guidance on Promoting Virtue and Preventing Vice [Dawat wa Ershad Amr bil-Maruf wa Nahi al-Munkar][4]

Number: (33/ Vol 2)

Date: 8/7/1438 lunar hijri [5 April 2017]

To the military commission, provincial officials and all departments of the Emirate

Peace and Allah's mercy and blessings be upon you.

As the aim of [our] holy jihad is to uphold the word of Allah so that Allah Almighty's religion prevails on earth, we have therefore ordered the Commission of Invitation, Guidance and Recruitment [Dawat, Ershad, Jalb aw Jazb] to start [discharging] the duties of the [Department for the] Invitation and Guidance on Promoting Virtue and Preventing Vice within the Commission of Invitation, Guidance and Recruitment. [It] has now developed procedures for its actions, which will be launched. You have therefore been ordered to fully cooperate with them so that this goal is achieved in the best possible way.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

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[4] The Department for Invitation and Guidance on Promoting Virtue and Preventing Vice (Dawat wa Ershad Amr bil-Maruf wa Nahi al-Munkar) is typically shortened to 'Amr bil-Maruf' or, in English, 'Vice and Virtue'. The same names are also used for its enforcers, also known in English as the Taleban's 'morality' or 'religious police'. After gaining power, the department became a ministry and renamed the Ministry for Invitation and Guidance on Promoting Virtue and Preventing Vice and Hearing of Complaints. For more, on this organisation, see AAN's report: Sabawoon Samim, 'Policing Public Morality: Debates on promoting virtue and preventing vice in the Taleban's second Emirate', 15 June 2022.

DECREE CONCERNING STOPPING 'IMPLANTED' PEOPLE (43/ VOL 2)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning stopping 'implanted' people

Number: (43/ Vol 2)

Date: 10/8/1438 lunar hijri [6 May 2017]

To all brothers – officials of the Emirate,

All officials are strictly instructed to track down those who try to defame the Emirate under the name of 'Taleban' by opting for unwarranted violence and illegitimate actions. If proved that these people are acting on [others'] instructions, they should immediately be expelled from [our] holy ranks and be subjected to Sharia punishment according to the court's ruling.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE CONCERNING LEASING STATE LAND TO THE PUBLIC (45/ VOL 2)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning state land

Number: (45/ Vol 2)

Date: 10/8/1438 lunar hijri [6 May 2017]

State land held by people without legal and genuine documents will be leased to the public. The relevant department should act upon this according to the decree above.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE PROHIBITING INDECENCY AND PROFANITY IN THE MEDIA, COMMUNICATIONS AND LETTERS (46/ VOL 2)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning prohibiting the use of indecency and profanity in the media, communications and letters

Number: (46/ Vol 2)

Date: 10/8/1438 lunar hijri [6 May 2017]

The mujahedin shall never swear or use vulgar language in relation to the enemy in the media, [wireless] communications or letters, so that the enemy is not provided with an excuse for insulting the mujahedin. It is also inappropriate and should therefore be avoided.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE ON THE USE OF OFFICIAL SEALS (47/ VOL 2)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, on the use of official seals

Number: (47/ Vol 2)

Date: 10/8/1438 lunar hijri [6 May 2017]

No seal using the name of an individual shall be used. [The seal] should use [a person's] Islamic Emirate of Afghanistan title and the proper name of [his] administrative [unit]/ place. From now on, every department, group, district governor and all officials are obliged to follow the instructions mentioned above.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE ON OBTAINING LEADERSHIP APPROVAL FOR *HUDUD AND QISAS* PUNISHMENTS (49/ VOL 2)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, on obtaining leadership approval for *hudud and qisas* [divinely mandated punishments and retributive justice][5] after consideration by all three [tiers of] courts of justice [first, appeal and Supreme Court]

Number: (49/ Vol 2)

Date: 10/8/1438 lunar hijri [6 May 2017]

1- Alongside [the verdicts of all] three courts of justice, leadership approval must also be sought when implementing hudud, qisas and executions.

2- Filming and taking photos of qisas and hudud executions or corporal punishments and the beating of enemy soldiers is prohibited; it must not happen, nor should [photos or film] be published because there is no basis for such actions in Islam.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

[5] See footnote 3 for an explanation of these terms.

DECREE ON PREVENTING THE ILLEGAL GRABBING AND SEIZURE OF PRIVATE LAND (44/ VOL 4)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, on preventing the illegal grabbing and seizure of private land

Number: (44/ Vol 4)

Date: 1/9/1440 lunar hijri [6 May 2019]

Some of our countrymen have been living as refugees in foreign countries for decades. There are also people from areas under the control of the Islamic Emirate of Afghanistan who currently reside in areas under the control of the Kabul government. Some have even joined the ranks of the enemy. No one can grab those people's private estates and properties, nor can the mujahedin or anyone else seize them. No land or property can be seized by anyone without [the application of] Sharia rules and a determination by the Sharia courts.

No forgery, excuses or illegitimate reasons will be accepted. To prevent [land] grabbing and to safeguard [the Islamic Emirate of Afghanistan] from accusations, culprits will be punished according to Sharia law.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING OFFICE ACCESSORIES AND STATE EQUIPMENT (31/ VOL 4)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning office accessories and state equipment

Number: (31/ Vol 4)

Date: 16/6/1440 lunar hijri [21 February 2019]

To the officials of the commissions and provinces

Peace and Allah's mercy and blessings be upon you.

Accessories and equipment purchased by an [Islamic Emirate of Afghanistan] commission should be used [only] by that exact same commission. Therefore, all officers and Emirate officials are instructed to refrain from taking one commission's goods, vehicles and possessions [for use] by another if they are redeployed. [The property] should instead be handed over to the new administrator properly.

Likewise, following order number (52 vol 2 from 17/06/1438 [16 March 2017]), provincial officials are also strictly ordered to properly hand over all goods, vehicles and other equipment belonging to the province to a new governor.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

INSTRUCTIONS CONCERNING CUTTING LONG HAIR (48/ VOL 4)

In the name of Allah, the most merciful

Instructions of His Excellency Amir al-Mu'minin, may Allah protect him, concerning cutting long hair that reaches the shoulders

Number: (48/ Vol 4)

Date: 18/10/1440 lunar hijri [20 June 2019]

Mujahedin are occasionally seen with hair longer than permitted in the *Sunna*. There are three types of Sunna in hairstyle: *wafra* (to the ears), *jama* (to the shoulders) and *lama* (between the ears and shoulders). But some [fighters] grew their hair past their shoulders. This creates a security risk and contradicts article 81 of the Layha [Code of Conduct].

Article 81: based on Sharia, the mujahedin should arrange their appearance, such as hair, dress, footwear and so on, to correspond to the ordinary people of any location. This will benefit both the mujahedin and the local people from a security point of view. On the other hand, it will also make travelling around easier for the mujahedin.

For this reason, the Military Commission should tell the mujahedin properly and effectively to comply with the Sunna in their hairstyle.

The Commission for Invitation and Guidance [Dawat aw Ershad] should caution offenders and stop them from doing so in the incorrect way, according to article 6 of the procedures of Amr bil-Maruf wa Nahi al-Munkar [religious police]. In order for the mujahedin to be mindful, they should be told to trim their overlong hair for the following reasons so that it is in line with the holy Sunna:

1- [Overlong hair] violates the Sunna which will result in the severing of Allah's *nusrah* [assistance];

2- [It] makes them women-like which is something worthy of curses;

3- [It] will result in public complaint that the mujahedin and Taleban do not care if their hairstyle is not in compliance with the Sunna;

4- Overlong hair itself has no social effect other than engendering fear and horror. Today's warfare against *kafirs* [non-believers] is conducted from a distance using long-range arms rather than face-to-face, so [long hair] will not terrify the enemy.

5- The mujahedin are busy with their jihadi activity, and the Taleban with their education, while this type of hair wastes [precious] time because hair requires a lot of attention and protection – without that, they will look like drug addicts;

6- It creates useless pride and arrogance, which is a major sin in the Hereafter;

7- Mujahedin with long hair are sometimes seen washing and combing their hair in streams. [and pools] where traditionally, on occasion, women collect drinking water or wash clothes.

8- As the mujahedin are under surveillance from the enemy, it will make it easier for the spies to identify them by their long hair, thus creating a security risk for them.

The Islamic Emirate's *Dar ul-Ifta* [House of *Fatwas*, the body which issues fatwas, or religious rulings on a specific question], after quoting multiple Hadiths and *fuqaha* [Muslim jurisprudents], on 03/09/1440 [8 May 2019], issued a fatwa (number 180) about long hair reaching the shoulders which states: "…growing hair beyond the shoulders is not Sunna and because of this we should avoid it, especially because it creates the above-mentioned evils …"

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE CONCERNING AUTHORISATION FOR KEEPING SUSPECTS IN CUSTODY (8/ VOL 5)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning authorisation for keeping suspects in custody for ***kashf ul-haal*** [information gathering], and its duration

Number: (8/ Vol 5)

Date: 7/3/1441 lunar hijri [4 November 2019]

If kashf ul-haal [information gathering] is required from a suspect, only provincial and intelligence officials have the right to keep them in custody for this, and this detention should not go beyond a month. If there is a need for more time to collect information, an extension should be requested from the court. Using *ta'zib* [torture] should be avoided during detention because the authority for ta'zib and tazir punishments lies with the court. If others opt to torture or punish someone, it is not justice but *zulm* [oppression]. Preventing zulm is a *wajeb* [obligation], while allowing it to happen is *haram* [forbidden].

There is a difference of opinion between Mawardi and Abu A'la with other *faqihs [jurisprudents],* about the duration of custody for suspects, as to whether this duration is fixed or is the prerogative of the ruler or judge to determine. There are two opinions. Zubairi states that the duration is determined, and it is one month. Al Mawardi states it is not determined.

(Al-Tariq ul-Hakamiya, pp 93-100-103)

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE CONCERNING THE PROPER TREATMENT OF PRISONERS (9/ VOL 5)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the proper treatment of prisoners

Number: (9/ Vol 5)

Date: 7/3/1441 lunar hijri [4 November 2019]

All praise is solely to Allah, and peace be upon His servants whom He has chosen. Thereafter, Allah Almighty said, "…and they gave food, in spite of love for it, to the needy, to orphans and to the captives" (Surat ul-Dahr, ayah 8).

According to Qatada,[6] Allah Almighty, in this verse, strongly commands better treatment of captives. Also, the Prophet, peace be upon him, says in a noble hadith: "Accept the advice to treat prisoners well [in Arabic with Persian and Pashto translation in text]." The 'prisoner' here means a person captured during a fight with *mushrekin* [idolators]. On the authority of Hassan Basri,[7] may Allah bless him with mercy, when a captive was brought to the Prophet, peace be upon him, he would have given him to one of the Muslims with a command to treat him well. The captive would spend two or three days with that person who would treat him better than his own self.

Qatada sahib says: Their captives were mushrekin [but] they treated them well, so if a Muslim becomes your prisoner, he has every right to be treated well. The same [message comes] from Tafsir ul-Qartabi and Tafsir Ruh ul- Ma'ani.[8]

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

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[6] Qatada ibn al-Numan was one of the Companions of the Prophet Muhammad.

[7] Hassan Basri was one of the second generation of Muslims.

[8] The references are to the exegeses of the Andadlusian Abu Abdullah Al-Qurṭubī (1836-1895 CE/1214-73 AH) and the Iraqi Mahmud al-Alusi (1802-1854 CE/1217-1270 AH).

ORDER CONCERNING THE SAFEKEEPING OF DECREES, ORDERS AND CLASSIFIED DOCUMENTS (36/ VOL 5)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning safekeeping and not publishing decrees, orders and classified documents

Number: (36/ Vol 5)

Date: 10/4/1441 lunar hijri [7 December 2019]

Keeping the secrets of the Emirate's [various] departments safe is an obligation for every official and officer. In order to avoid mistrust and confusion over [their] activities, the following should be implemented:

1- All Emirate officials are obliged to keep safe and safely pass the decrees, orders and guidelines coming from the leadership to the departments under their supervision.

2- All Emirate officials should strongly advise officers and workers under their supervision to refrain from publishing the leadership's decrees, orders, formal letters and departmental classified documents through social media, like Facebook, Twitter and so on, and also not to share them through WhatsApp, Telegram or other public sharing groups.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE CONCERNING MISSING PERSONS (43/ VOL 5)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the issue of missing persons

Number: (43/ Vol 5)

Date: 10/4/1441 lunar hijri [7 December 2019]

There are often referrals to the courts about missing persons, which puzzle the judges as to the words of which group of faqihs should serve as the basis for their judgment and this is because there are different statements on the issue from jurists. In cases where the wife of a missing person refers to a judge, and if there is a possibility that the person is among the *mafqud fi al-hurub and mazan ul-halak* [missing in combat and thought to be killed], to avoid confusion, according to Hanafi scholars, where the signs of death are obvious and the time elapsed is sufficient to lead the judge to believe that he might be dead, the court should deliver a verdict of 'deceased' for the missing person. The wife should then be ordered to wait for the *e'dat* [a set period of seclusion for a widow or female divorcee] to pass, after which she is allowed to marry another man. Because the case involves certifying someone's death, the following procedures must also be followed to make sure that utmost caution is exercised.

The court must share with the High Directorate of Courts all the proceedings of such a case. All conditions set out by the High Directorate of Courts must be followed, and after the approval of the High Directorate, the verdict should be referred to the leadership. It can be acted upon after approval by the leadership.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING PRINTING BOOKS BY THE DEPARTMENTS AND COMMISSIONS OF THE EMIRATE (61/ VOL 5)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning printing books by the departments and commissions of the Emirate

Number: (61/ Vol 5)

Date: 10/6/1441 lunar hijri [4 February 2020]

If any department or commission of the Emirate compiles a book of guidelines to regulate their affairs, once completed, it should be sent to the leadership [for review]; they should not go ahead with printing it on their own. Once approved by the leadership, it can go to print and be distributed.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE CONCERNING LIQUIDATING GENERAL FRONTS (124/ VOL 6)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning liquidating general fronts *[umumi mahazuna]*[9]

Number: (124/ Vol 6)

Date: 5/6/1442 lunar hijri [18 January 2021]

To all officials of the Islamic Emirate

Peace and Allah's mercy and blessings be upon you.

If a governor or any other *meshr* [person in charge] has a group [of fighters] active in another province as well as in his own province, I [hereby] order all such officials to introduce their groups and mujahedin to the person in charge of that province. Hereafter, [those fighters] should obey the governor and take orders from him as to their activities. Recruitment to the group, like the rest of the mujahedin groups, will be managed by those in charge of the province. General fronts are forbidden in the structure of Islamic Emirate and such fronts shall not be recognised within the structures of the Islamic Emirate.

I strongly order everyone to refrain from enlisting groups from other provinces under their name. Any group belonging to individuals in other provinces should be given independent status.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

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[9] The Taleban as an insurgent movement, like the mujahedin, organised themselves organically in a multi-level, military hierarchy of district and provincial commanders, ultimately all falling under the movement's Military Commission. A 'mahaz', usually translated – somewhat confusingly as 'front' – is a grouping of groups of fighters, totalling anywhere between 200 and 1000 men, led ultimately by a single commander. Not all members of a mahaz would be fighting at any one time.

ORDER PROHIBITING PUNISHMENT AND FILMING [THE SCENE] WITHOUT A COURT ORDER 65/ VOL 6)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, prohibiting punishment and filming [the scene] without a court order

Number: (65/ Vol 6)

Date: 16/3/1442 lunar hijri [2 November 2020]

According to holy Sharia, only a Sharia court has the prerogative to decide on a suspect's guilt and punish criminals. It is not the right of everyone to punish a criminal arbitrarily.

Imposing punishments according to hudud and tazir, which will result in the satisfaction of Allah and prevent crimes, will only have the desired effect if the process of identification and implementation is followed according to the guidelines of Sharia and punishment is imposed in accordance with the magnitude of the crime.

Based on this, all officials and mujahedin of the Emirate are ordered to pay their utmost attention to the following two points:

1- No one has the right to beat with sticks, [use] whips *[dura]* or cables or torture [a person] in any other way without a court order. When mujahedin take someone into custody, be they a political or criminal prisoner, they have no right to punish [that person] without a court order;

2- No one has the right to take photographs of the scene of a punishment or to film it.

Those violating the above points are considered criminals. All officials of the Emirate, especially governors, are obliged to explain this to officers and mujahedin, as well as to find offenders promptly and send them to the relevant departments so that they can be punished for disobeying Sharia norms and decrees, disturbing public order and defaming the Islamic Emirate. This will serve as an example for other offenders.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE CONCERNING THE PREVENTION OF THE USURPATION OF STATE LAND (4)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the prevention of the usurpation of state land

Number: (4)

Date: 15/2/1443 lunar hijri [22 September 2021]

In the last twenty years, alongside other faults under the puppet administration, usurping state land became a norm. Using the situation, land grabbers [still] continue their misdeeds. With the establishment of the Islamic Emirate's Sharia system, it is now our duty to put a stop to any kind of land grabbing. Accordingly, governors of all provinces are, henceforth, obliged to rigorously prevent the grabbing of Emarati [state] land and hand over usurpers to face Sharia law.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE THE NON-TRANSFERABILITY OF LAND OWNERSHIP WITHOUT THE PERMISSION OF THE LEADERSHIP (8)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the non-transferability of land ownership without the permission of the leadership

Number: (8)

Date: 17/3/1443 lunar hijri [23 October 2021]

No one can transfer land to [become] the property of others without the leadership's permission. Sarkhasi's [sic] "Mabsut"[10] writes: "(Only, the supreme) amir has the right to transfer a piece of land that is not owned by a known person into someone else's ownership because the right to decide about what is jointly owned by Muslims lies with the (supreme) amir. Based on necessity and *maslahat* [expediency], he can give it to a member (of the Muslim community) as property, just as he can withdraw from the public coffer [*bait ul-maal*] (and give something to someone also because of maslahat) [in Arabic with Persian and Pashto translation in text]."

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

[10] Abu Bakr al-Sarakhsi (d 1090 CE/483 AH) was a Persian jurist and Hanafi scholar, traditionally known as 'Shams al-Aimma' (the Sun of the Leaders) because of the high regard other jurists held him in. 'Kitab al-Mabsut' is one of his most important works.

DECREE CONCERNING THE JURISDICTION OF MILITARY COURTS (19)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the determination of the boundaries of the jurisdiction of military courts

Number: (19)

Date: 23/4/1443 lunar hijri [28 November 2021]

The military courts, in line with Sharia norms, have the authority to hear and investigate complaints, petitions and claims against officials and workers of all three branches of the Islamic Emirate's security agencies (Ministry of National Defence, Ministry of Interior and General Directorate of Intelligence) and if proved, to issue a Sharia verdict. The implementation of their decisions (hudud, qisas and execution) will be subject to the approval of all three [tiers of] courts and the leadership of the Islamic Emirate.

All three branches of the Islamic Emirate's security agencies are strictly obliged to support the implementation of the military courts' decisions.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE CONCERNING WOMEN'S RIGHTS (83/ VOL 1)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning women's rights

Number: (83/ Vol 1)

Date: 27/4/1443 lunar hijri [2 December 2021]

The leadership of the Islamic Emirate instructs all officials, religious scholars and tribal elders to work hard to achieve the following rights for women:

1- The consent of an adult woman is necessary for *nikah* [marriage]. If the nikah is between *kufu,*[11] the risk of corruption and cheating is removed. No one can force [an adult woman] into marriage by pressure or compulsion;

2- A woman is not a piece of property, but a genuine human being. No one can trade her for peace in a *bad* [marriage, ie to assuage a blood feud];[12]

3- After the death of her husband and passing of her *e'dat*, a widow cannot be remarried to her brother-in-law or anyone else. A widow has the right to marriage and to determine her own destiny (provided the principle of *kufu* and prevention of cheating and corruption is observed);

4- Receiving a dowry is a widow's Sharia right;

5- Women have a fixed inheritance right when it comes to the property of their husbands, children, father and other relatives. No one can deprive them of this right based on either *fardiyat* [primary heirs] or *asabiyat* [residual heirs];[13]

6- Those with multiple wives are obliged to give their wives their rights according to the rules of Sharia and to observe fairness among them.

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[11] *Kufu,* the Arabic for 'peer', here refers to the belief that a marriage is better between two people who are similar, in age, social background and so on.

[12] See footnote 3.

[13] The decree refers to the Islamic system of inheritance whereby there are heirs who are always entitled to a share (faradiyat); they include the widow or widower, parents and children. If, after they have inherited their quotas (which are fixed), there is still property left over, other relatives, classed as 'residual heirs' (asaba), can inherit. Article 5 of this decree means, therefore, that a woman must not be denied her inheritance, whether she is a primary or a residual heir.

The following departments and ministries should particularly take action in their own fields:

- Ministry of Guidance, Hajj and Awqaf [endowments] is instructed to encourage scholars and *khatibs* [preachers] regarding guidance in relation to women's rights so that people learn through their preaching that oppressing women or depriving them of their rights will cause the displeasure of Allah Almighty and His anger and divine punishment.

- Ministry of Information and Culture must also constantly release [both] encouraging and warning written and audio material about women's rights through their mediums; to encourage skilled and talented people to publish and share useful booklets; to publish some important short booklets using their own means so that the scholars direct their attention to women's Sharia rights, [which will] improve understanding and make it easier to stop ongoing oppression [against women].

- The Supreme Court should instruct all courts to properly consider petitions by women, especially widows, and not to ignore them so that they are not disillusioned with [the justice system] in getting rid of oppression and obtaining their rights according to Sharia.

- Governors and district leaders must fully cooperate with the above-mentioned ministries and the Supreme Court in implementing this decree.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE CONCERNING DIVIDING MINISTRIES AND DEPARTMENTS UP ACCORDING TO THEIR WORK AREAS (22)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning dividing ministries and departments according to their work areas under the Prime Minister's deputies

Number: (22)

Date: 16/6/1443 lunar hijri [19 January 2022]

To the esteemed Office of the Prime Minister,

Peace and Allah's mercy and blessings be upon you.

May Allah Almighty grant you good health and wellbeing.

The dividing up of ministries according to their work areas under the deputies of the Prime Minister is approved in the following manner:

Deputy [PM] for Administrative [affairs]:

Ministry of Education; Ministry of Justice; Ministry of Higher Education; Ministry of Public Health; Ministry of Promoting Virtue and Preventing Vice and Hearing of Complaints; Ministry of Guidance, Hajj and Awqaf; Ministry of Work and Social Affairs; Ministry of Martyred and Disabled People; Ministry of Refugees' Affairs; General Department of the Academy of Science; General Department of Local Organisations [the Emirate's name for the Republic-era Independent Directorate of Local Governance, or IDLG]; Department of Technical and Professional Affairs; National Department of Exams.

Deputy [PM] for Economic [affairs]:

Ministry of Agriculture, Irrigation and Livestock; Ministry of Communication and Information Technology; Ministry of Economy; Ministry of Rural Rehabilitation and Development; Ministry of Mines and Petroleum; Ministry of Industry and Commerce; Ministry of Public Works; Ministry of Urban Development; Ministry of Water and Energy; Independent Department of *Da Afghanistan Bank* [Central Bank]; National Statistic and Information Authority; National Norms and Standards Authority (ANSA); Capital Region Development Authority; all independent state companies.

Deputy [PM] for political [affairs]:

Ministry of Foreign Affairs; Ministry of Information and Culture; Ministry of Borders and Tribal Affairs; the Office of the State Minister for Emergency Situations; Afghan Red Crescent; General Department of Sports and the Olympics; National Environmental Protection Agency; the Human Rights Commission; Constitutional Oversight Commission.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE CONCERNING THE VALIDATION OF THE ASSESSED ACADEMIC DOCUMENTS OF RELIGIOUS MADRASA GRADUATES AND THE ULEMA (25)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the validation of the assessed academic documents of religious madrasa graduates and the ulema [religious scholars]

Number: (25)

Date: 12/7/1443 lunar hijri [13 February 2022]

All the academic documents of ulema and graduates of religious madrasas, which were assessed during the first period of the Islamic Emirate of Afghanistan, are considered valid and the [holders of these documents] are entitled to their benefits.

This decree is effective upon approval and the relevant ministries and departments are obliged to implement it.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE FOR ALL MUJAHEDIN OF THE ISLAMIC EMIRATE (28)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, for all mujahedin of the Islamic Emirate

Number: (28)

Date: 11/8/1443 lunar hijri [14 March 2022]

Allah Almighty, with His kindness and generosity, bestowed upon the mujahedin of the Islamic Emirate a great victory and thus, they now face an enormous test. In order for the mujahedin to succeed in this test, they must pay their utmost attention to the following points:

1- All mujahedin should act [literally, make their *neyats* or intentions] only for the sake of Allah and for Allah;

2- *Meshran* [superiors] and *keshran* [inferiors] must adorn themselves with *taqwa* [piety];

3- Praise Allah Almighty very much, who, thanks to the holy jihad, bestowed upon you a great victory;

4- Use *adl* [justice] and *insaf* [fairness] in all your affairs;

5- Be kind to your people, who have suffered a lot;

6- Refrain from arrogance, pride, *ujb* [wonder] and betrayal;

7- Strictly avoid *qaumparasti* [ethnocentrism], regionalism, language-centrism and cronyism;

8- Privilege should be based only on piety and trustworthiness;

9- Create an atmosphere of trust and brotherhood among yourselves;

10- Avoid any deed which could cause distrust among you;

11- Always fulfil the obligation of *amr bil-maruf and nahi an al-munkar* [promoting virtue and forbidding vice] and offering your prayers in congregation;

12- Refrain from cheating the *bait ul-maal* [public coffer];

13- Support well the families and children of the martyred. Never forget them;

14- Strictly avoid interfering in each other's affairs;

Strictly follow the above-mentioned instructions, especially the ones about cronyism, tribalism and language-centrism, because the Prophet, peace be upon him, told his companions, according to Al-Bukhari:[14] "Get rid of these [qualities] because they stink [in Arabic with Persian and Pashto translation in text."

Everyone should be aware that if anyone in this holy and pure Islamic Emirate commits these foul-smelling deeds, and continues to do so, despite repeated warnings, there would be no forgiveness for him, because this is an obvious sin and there is no amnesty in Islamic Sharia, but rather *adhab* [torment] for those committing an obvious sin, because the Prophet, peace be upon him, said: "Anyone from my followers is forgiven apart from those who commit an obvious sin. [in Arabic with Persian and Pashto translation in text]."

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

[14] Muhammad ibn Ismael al-Bukhari (d 870 AD/256 AH) is widely regarded as the most important Sunni Muslim collector of Hadiths.

DECREE CONCERNING AUTHORISATION FOR KEEPING SUSPECTS IN CUSTODY (29)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning authorisation for keeping suspects in custody for ***kashf ul-haal*** [information gathering] and its duration

Number: (29)

Date: 12/8/1443 lunar hijri [15 March 2022]

If kashf ul-haal is required from a suspect, only security and intelligence officials have the right to keep them in custody for this purpose, but the detention should not exceed ten days. If more time is needed to gather information, an extension should be requested from the court. Likewise, no one can release a prisoner once their sentence is complete without a court order. Any kind of torture should be avoided during detention because torture and tazir are the sole prerogatives of the courts. This would not be justice but cruelty: preventing cruelty is a duty, while permitting cruelty is forbidden.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE CONCERNING THE PREVENTION OF CRONYISM IN THE DEPARTMENTS OF THE EMIRATE (30)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the prevention of cronyism in the departments of the Emirate

Number: (30)

Date: 12/8/1443 lunar hijri [20 March 2022]

Given that you may have awarded jobs in your areas of responsibility to your close relatives or friends because of close family ties or connections, I order all officials of the Islamic Emirate to avoid this strictly. It is a sin and causes Allah Almighty's displeasure and torment.

According to the authority of Yazid bin Abi Sufyan, Abu Bakr al-Sadiq[15] – may Allah be pleased with him – told Yazid when he sent him to the Levant [al-Sham]: "O Yazid, you have a relative whom you might favour with leadership, and that is the greatest thing I fear for you. As the Messenger of Allah, may God bless him and grant him peace, said: 'Whoever becomes in charge of the affairs of Muslims and then appoints someone over them out of favouritism, the curse of Allah will be upon him. Allah will accept neither diversion nor ransom from him: He will cause him to enter into hell' [in Arabic with Persian and Pashto translation in text]."

This hadith has an authentic chain of narrators, and they did not exclude it, the 'al-Mustadrak ala al-Sahihayn' [16] Vol 4, page 1, as this hadith points to the sin of the Sultan

[15] Abu Bakr, a companion of the Prophet Muhammad, who succeeded him when he died, appointed Yazid bin Abi Sufyan as one of the main commanders in the conquest of Byzantine Syria, launched in 634 CE/12 AH.

[16] 'Al-Mustadrak ala l-Sahihayn' (The Supplement to The Sahihayn) is a collection of Hadiths compiled in 983-4 CE/373 AH by al-Hakim al-Nishaburi. He believed these Hadiths to be authentic according to the conditions set out by Muhammad ibn Ismael al-Bukhari and/or Muslim ibn al-Hajjaj al-Naysaburi (b around 817 CE/202 AH), but which were missing from their two collections. al-Bukhari and Muslim's are considered to be the most authentic collections of Hadiths and are known as 'The Sahihayn' (the 'two good works').

when appointing an unqualified person: So, understand! This is a topic in the good exegesis [of the Quran] by the good and the righteous.

('Radd al-Muhtar', Vol. 4, p. 364)[17]

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

[17] 'Radd al-Muhtar ala al-Durr al-Mukhtar' (Guiding the Baffled to the Exquisite Pearl) by the 18th century scholar, Ibn Abidin (d 1836 CE/AH 1252), is a *hashiyah* (annotative commentary) on a work of Islamic jurisprudence, 'Durr al-Mukhtar fi Sharh Tanwir al-Absar' by Ala al-Din al-Haskafi's (d 1710 CE/1088 AH). 'Radd al-Mukhtar' is widely considered the central reference for Hanafi scholars of fatwas.

DECREE CONCERNING THE PROHIBITION ON POPPY CULTIVATION (31)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the prohibition on poppy cultivation in the country

Number: (31)

Date: 4/9/1443 lunar hijri [5 April 2022]

All compatriots are hereby informed that, from the date of issuance of this decree, cultivating opium poppy in Afghanistan is completely forbidden. From this time onwards, no one should cultivate poppies on their land. Anyone who plants them, their crops will be destroyed and they themselves will face Sharia procedures.

Likewise, using, transporting, selling, trading, importing and exporting of all types of drugs, such as alcohol, heroin, *shisha* [methamphetamine], tablet K,[18] hashish and all other types of drugs, as well as drug-producing plants, is forbidden. Anyone disobeying this decree will be referred to the legal and justice departments of the Islamic Emirate and will face severe punishment.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

[18] Tablet K, a street drug sold for about 1-5 USD in Afghanistan, is a cocktail that contains methamphetamine, heroin and MDMA (Ecstasy). The Afghan name comes from the Russian for 'tablet' or 'pill' – *tableka*.

DECREE CONCERNING THE PREVENTION OF FALSE ACCUSATIONS AGAINST THE EMPLOYEES AND OFFICIALS OF THE ISLAMIC EMIRATE (35)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the prevention of false accusations against the employees and officials of the Islamic Emirate and the disrespecting of them

Number: (35)

Date: 19/12/1443 lunar hijri [18 July 2022]

According to Islamic guidance, falsely accusing officials and wrongly criticising them is not permissible in Sharia. Besides, it creates hatred and disgust among Muslims, destroying trust and faith, and weakening courage.

Allah Almighty in Surah al-Isra 36 says: "Do not pursue that of which you have no knowledge. Indeed, the ears, the eyes and the heart will be questioned about all this [in Arabic with Persian and Pashto translation in text]."

On the same issue, the Prophet, peace be upon him, according to Muslim[19] the one who passes something they have heard on to others (without checking) is a liar. Such negative publicity creates anxiety in society and unconsciously helps the enemies. The Prophet, peace be upon him, said: "Whoever believes in Allah and the Hereafter, should either tell the truth or keep silent [in Arabic with Persian and Pashto translation in text]." In another Hadith, the Prophet, peace be upon him, on the authority of Abu Daud[20] said: "One bad habit is when a person bases his reasoning on 'They said/someone said' [in Arabic with Persian and Pashto translation in text]." According to Islam, this is a punishable deed. Muslim jurists, may Allah have mercy on them, have written (translation from Arabic): "Harassing public (government) officials and those assigned to public services will result in a tazir punishment. The jurists and scholars mentioned, as an example, insulting government employees in ways inappropriate to [their] status (whether by gesture,

[19] Muslim ibn al-Hajjaj al-Naysaburi who compiled the collection of Hadiths knowns as Sahih Muslim' (See footnote 17).

[20] Abu Daud al-Sijistani was a collector of Hadiths (d 275-6 AH/889 CE).

deed or something else)…'al-Mawsua al-Faqhiya', Vol 12, p283; 'al-Fatawi al-As'adiata', Vol 1, pp166-167.[21]

Similarly, scuffling with a soldier, tearing his clothes or swearing at him will result in a tazir punishment, as well as having to pay compensation (for his torn clothes). In cases of contempt of court or disruption of a judicial session, the judge can impose a tazir punishment, although forgiveness is better.

All countrymen, mujahedin and media are obliged to act upon the above-mentioned Islamic guidelines.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

[21] 'Al-Mawsua Al-Faqhiya' (Encyclopaedia of Islamic Jurisprudence) is the largest collection of fiqh (45 volumes) of all four major Sunni schools of thought; the project was begun in 1965 and completed in 2005 and was overseen by the Kuwaiti Ministry of Awqaf and Islamic Affairs.

'Al-Fatawi al-As'adiata' was recently compiled by the Afghan, Jalilullah Mowlavizada. He has a madrassa in Herat and was a minister for education during the mujahedin government, as a member of the faction, Hezb-e Enqelabi.

ORDER CONCERNING COLLECTING THE POOR IN KABUL CITY AND PROVIDING THEM WITH ASSISTANCE (1336)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning collecting together the poor in Kabul city and providing them with assistance

Number: (1336)

Date: 25/7/1443 lunar hijri [26 February 2022]

The Ministry of Interior and the Afghan Red Crescent should urgently come up jointly with a procedure to collect together the poor [beggars] of Kabul city and assist them. The Ministry of Interior is responsible for rounding them up,[22] while the Red Crescent is responsible for providing accommodation, food and support.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

[22] We have translated this as both 'collect together' and 'round them up' as the wording of the decree implies coercion.

ORDER CONCERNING HANDING OVER SUPPLIES AND VEHICLES BY REDEPLOYED OFFICIALS TO THEIR REPLACEMENTS (1407)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning handing over supplies and vehicles by redeployed officials to their replacements

Number: (1407)

Date: 3/8/1443 lunar hijri [6 March 2022]

To all ministries and independent departments,

Peace and Allah's mercy and blessings be upon you.

May Allah Almighty grant you good health and wellness.

The redeployment of officials in ministries and independent departments of the Islamic Emirate, according to the discretion of His Excellency Amir al-Mu'minin's, may Allah protect him, takes place from time to time. When an official is ordered to relocate, he should hand over all the goods and vehicles of his ministry or department to the new official in the presence of a commission. If anyone declines to hand over [property] according to the rules, this should be reported to their superiors.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING SEEKING FATWA WHEN NEEDED (1409/ VOL 1)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning seeking fatwa when needed

Number: (1409/ Vol 1)

Date: 3/8/1443 lunar hijri [6 March 2022]

Any ministry, general department or any other organisation of the Islamic Emirate, prior to seeking a fatwa, when necessary, should [first] visit the rules and procedures of their relevant ministries, general departments and other organisations [which have been] authorised by the leadership. Instruction from the leadership must [only] be sought when the problem can not be solved using these means.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING PLACING ALL SPECIALISATIONS IN *FIQH* AND FATWA ISSUANCE UNDER THE MINISTRY OF HIGHER EDUCATION (1441)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning placing all specialisations in *fiqh* [Islamic jurisprudence] and fatwa issuance henceforth under the Ministry of Higher Education

Number: (1441)

Date: 6/8/1443 lunar hijri [9 March 2022]

As decided by His Excellency, Amir al-Mu'minin, may Allah protect him, all departments of the Emirate [dealing with] specialisations in fiqh and the issuing of fatwas will, in future, be under the Ministry of Higher Education.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING ASSIGNING MOON-SIGHTING DELEGATIONS (1691)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning assigning moon-sighting delegations

Number: (1691)

Date: 2/9/1443 lunar hijri [3 April 2022]

The task of sighting the moon is assigned to the Supreme Court. Headed by the Supreme Court, moon-sighting delegations (committees) are to be established in the capital, provinces and districts with the participation of delegates from the Ministries of Guidance, Hajj and Awqaf, Amr bil-Maruf wa Nahi al-Munkar and the central Dar ul-Ifta to carry on the task of detecting the [start of] the month of Ramadan and the Eids. Once the moon has been verifiably sighted or news of it has been confirmed, the final order and announcement should be made according to Sharia by *Qazi ul-Quzat* [the Head of the Supreme Court/Chief Justice].

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING THE RELOCATION OF THE LAND DEPARTMENT (1796)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the relocation of the Land Department

Number: (1796)

Date: 12/9/1443 lunar hijri [13 April 2022]

At the discretion of His Excellency, Amir al-Mu'minin, may Allah protect him, the Department of Land in the Ministry of Urban Development will in future be under the Ministry of Agriculture, Irrigation and Livestock. The Economy Commission will classify all documents, vehicles, goods and personnel of the Land Department before it is transferred in a safe and professional manner to the Ministry of Agriculture, Irrigation and Livestock.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING THE ENDORSEMENT OF THE DESCRIPTIVE AND EXPLANATORY DRAFT RELATED TO SHARIA HIJAB (1930)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the endorsement of the descriptive and explanatory draft related to Sharia hijab

Number: (1930)

Date: 24/9/1443 lunar hijri [25 April 2022]

To the Ministry of Amr bil-Maruf wa Nahi al-Munkar and Hearing of Complaints.

Peace and Allah's mercy and blessings be upon you.

May Allah Almighty grant you good health and wellness.

The short descriptive and explanatory draft [concerning hijab] prepared by the esteemed *sheikhs* [high-level Islamic scholars] is endorsed by us. It will be implemented by the Ministry of Amr bil-Maruf wa Nahi al-Munkar and Hearing of Complaints. The Supreme Court, the Ministry of Guidance, Hajj and Awqaf, the Ministry of Education, the Ministry of Interior, the General Directorate of Intelligence and all *khatibs* and *wa'ezes* [preachers and orators] should fully cooperate with them.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING AVOIDING DOUBLE SALARIES (631, VOL 1)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning avoiding double salaries

Number: (631, vol 1)

Date: 9/10/1443 lunar hijri [10 May 2022]

All ministries, independent departments and all other organisations of the Islamic Emirate are instructed that receiving a double salary is forbidden. The relevant organisations should therefore identify those getting a double salary and stop one of the salaries.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING REGULATING FINANCIAL AFFAIRS (2070)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning regulating financial affairs

Number: (2070)

Date: 16/10/1443 lunar hijri [17 May 2022]

All organisations of the Emirate are obliged to align within six months all their financial affairs like salaries, *e'asha* [lunch or other free food provided to staff] and other expenses with the system of financial affairs and public expenditures of the [Central] Bank and Ministry of Finance.

The Ministry of Finance and Da Afghanistan Bank are instructed to cooperate with the relevant organisations and provide facilities in this field.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING THE COLLECTION OF REVENUE IN A TRANSPARENT MANNER (2071)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the collection of revenue in a transparent manner

Number: (2071)

Date: 18/10/1443 lunar hijri [19 May 2022]

In order to collect revenue in a transparent manner and to avoid irregularities and chaos, all revenue agencies are obliged to collect their revenue in a proper way through the bank.[23]

No one can directly spend [or take money from] the revenue on their own.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

[23] Probably a reference to Da Afghanistan Bank, the Central Bank.

ORDER CONCERNING ACTIVATING IDLE REVENUE-GENERATING SOURCES (2072)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning activating idle revenue-generating sources

Number: (2072)

Date: 16/10/1443 lunar hijri [17 May 2022]

The Commission of Economy is obliged to facilitate the activation of all those revenue sources that have thus far remained idle and provide information about them to the leadership.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING THE ALIGNMENT OF SALARIES IN THE ARMED FORCES (2073)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the alignment of salaries in the armed forces

Number: (2073)

Date: 16/10/1443 lunar hijri [17 May 2022]

The Commission of Salaries and *Tashkilat*[24] is instructed to prepare, in coordination with the Ministries of National Defence and Interior and the General Directorate of Intelligence a draft to align the salary norms in the armed forces and to send it to the leadership for approval.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

[24] The *tashkil* is the authorised strength, the numbers of personnel and their ranks, in any given department, ministry or armed/security force.

ORDER CONCERNING REGISTERING AND APPOINTING MUJAHEDIN TO THE SECURITY AGENCIES (2074)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning registering and appointing mujahedin to the security agencies

Number: (2074)

Date: 16/10/1443 lunar hijri [17 May 2022]

In order for all mujahedin to be registered and assigned posts and salaries in the relevant security agencies, these agencies are obliged to do the following:

1- Security agencies should complete the process of registering genuine mujahedin in a transparent manner within two months;

2- Security agencies should assign positions and salaries within their organisations to the registered mujahedin;

3- The ministries of National Defence and Interior and the General Directorate of Intelligence should biometrically register their mujahedin in such a way that will prevent double appointments;

4- The Commission of Salaries and Tashkilat is tasked with constantly monitoring and reviewing the process of registration and the allocation of positions to the mujahedin in the relevant organisations so that complaints are dealt with thoroughly;

5- The above-mentioned commission is obliged to share its findings with the leadership from time to time;

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING THE MONITORING AND FOLLOW-UP MEASURES FOR INSTRUCTIONS NUMBER 115, VOL 6 (2075)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the monitoring and follow-up measures for Instructions Number 115, vol 6, from 1442 lunar hijri [2021]

Number: (2075)

Date: 16/10/1443 lunar hijri [17 May 2022]

The Ministry of Amr bil-Maruf wa Nahi al-Munkar and Hearing of Complaints is tasked with strictly reviewing the [implementation of] instructions issued in decree number 115, Vol. 6 in 1442 lunar hijri forbidding officials from needless and lavish second, third and fourth weddings, to identify those who have disobeyed instructions and to pass on their findings to the leadership from time to time.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING THE COMPOSITION OF COMMAND FOR THE IMPLEMENTATION FORCE OF MILITARY COURTS (2219A)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the composition of command for the Implementation Force *[Quwa-ye Ejrayea]*[25] of military courts

Number: (2219A)

Date: 26/10/1443 lunar hijri [27 May 2022]

There is one command of the implementation forces of military courts in each [geographical] zone of the country, which consists of the following two components:

1- The force enacting subpoenas for the military courts;

2- The force providing security for the military courts.

The subpoena force			The security force	
No	position	Number	Position	Number
1	Commander	1	Commander	1
2	Driver	1	Driver	1
3	Admin and finance manager	1	Admin and finance manager	1
4	Cook	2	Guard	2
5	Guard	2	Cook	1
6	Subpoena personnel	20	Security personnel	20
7	Head of prison	1		
8	Prison imam and teacher	1		
9	Prison security personnel	10		
Total		39		26
Total number of both forces in a zone				26+39=65
Total number [of force] for [all] five zones				65x5=325

[25] This is the force used to help the courts implement their decisions.

Note: The composition of a twenty (20) strong subpoena force is shaped by recruitment from the following:

- Five from the Ministry of National Defence,

- Five from the Ministry of Interior,

- Five from the General Directorate of Intelligence,

- Five recruited at the commander's discretion.

Twenty members of the command's security force are also recruited at the commander's discretion.

The administrative affairs of the personnel and their logistics are the responsibility of the Ministry of Interior.

The composition of command for the implementation forces of the military courts with the above-mentioned [specifications] is approved.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING MERGING MILITARY COURTS INTO THE STRUCTURE OF THE SUPREME COURT (2219B)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning merging military courts into the structure of the Supreme Court

Number: (2219B)

Date: 26/10/1443 lunar hijri [27 May 2022]

To the esteemed Office of the Prime Minister,

Peace and Allah's mercy and blessings be upon you.

May Allah Almighty grant you good health and wellness.

Military courts, like other courts, are part of the Supreme Court, with the two following exceptions:

1- In cases of [the military courts enacting] tazir punishments, their verdict is final, but if executions or hudud [punishments] are involved, this must go through all three tiers of the courts.

2- [Responsibility for] providing mujahedin for [military courts'] security and recruiting prison staff lies with the Ministry of Interior, and [these personnel] are part of that ministry's staff.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING NOT TAKING SECOND JOBS (2687)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning not taking second jobs

Number: (2687)

Date: 07/12/1443 lunar hijri [6 Jul 2022]

None of the officials of the Islamic Emirate, whether low-ranking or high-ranking, can take a second formal job at the same time as another job. Therefore, those employed in two places must leave one [of their] jobs.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

INSTRUCTION FOR CLEANSING THE TALEBAN OF UNDESIRABLES (76, VOL 1)

In the name of Allah, the most merciful

Number: (76, vol 1)

Date: 26/4/1443 lunar hijri [1 December 2021]

To the esteemed Office of the Prime Minister,

Peace and Allah's mercy and blessings be upon you.

May Allah Almighty grant you good health and wellness.

The responsibility for cleansing[26] [our] ranks lies with three departments (the Ministry of National Defence, Ministry of Interior and General Directorate of Intelligence). [The new body responsible] will be named the Military Commission and will discharge its duty according to a special procedure. The following article must also be added to their procedure:

(If an undesirable and corrupt person is found with anyone in a unit, the head of that unit will be summoned to a military court to face the punishment that he deserves, according to Sharia).

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

[26] *Tasfia* could also be translated as 'purging', 'cleaning up' or 'purifying'.

INSTRUCTIONS FOR LICENCING LAW FIRMS (215, VOL 1)

In the name of Allah, the most merciful

Number: (215, vol 1)

Date: 4/7/1443 lunar hijri [5 February 2022]

To the esteemed Minister of Justice,

Peace and Allah's mercy and blessings be upon you.

May Allah Almighty grant you good health and wellness.

[Please] prepare a *tarz al-amal* [procedure/guidelines] for law firms *[dar al-wakala]* as well as a document for licencing them. Prepare a way for [the Bar] examination after which you will licence them. Stop law firms practising without a licence.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

INSTRUCTIONS CONCERNING WEEKLY SESSIONS OF THE SUPREME COURT (302, VOL 1)

In the name of Allah, the most merciful

Instructions of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the weekly *Shura* [session] of the Supreme Court

Number: (302, vol 1)

Date: 19/7/1443 lunar hijri [20 February 2022]

Like the Council of Ministers, the High Council of the Supreme Court should also send any decisions it takes to the leadership. Efforts should be made for all members of the High Council to attend sessions of the Supreme Court, especially the [Chief Justice's] deputies. If any of the deputies or members of the council are absent from the session due to an [legitimate] excuse or [being] far away, they will be asked to [send] their opinion about the topic [under discussion] in writing.

Both the hiring and firing of judges should take place according to the leadership's instructions. Likewise, any instruction or procedures *[usul]* given to judges can only be acted upon once the leadership approves.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

APPROVING THE CURRICULA FOR THE FIRST AND SECOND SEMESTERS OF HIGHER EDUCATION (427, VOL 1)

In the name of Allah, the most merciful

Number: (427, vol 1)

Date: 12/8/1443 lunar hijri [15 March 2022]

To the esteemed Office of the Prime Minister,

Peace and Allah's mercy and blessings be upon you.

May Allah Almighty grant you good health and wellness.

The curricula for the first and second semesters of higher education sent [by your office] have been reviewed. The curricula are approved, providing the following points are taken into account:

1- Professors and Islamic scholars [ulema] who are devoted to Islam, committed and qualified should be appointed to the Faculty of Shariat [Theology];

2- A committee of the best ulema should be appointed to monitor the teaching process in universities;

3- A judgment about the repentance of a *zandiq* [heretic or non-believer][27] should be added to the book of 'Islamic Culture' under the topic of *aqida* [beliefs];

4- In the same book under the topic of Hadith, the subject of Hadith should be added;

5- In the same book under the topic of *Fiqh ul-Ibadat* [Jurisprudence of Worship], where *al-wudhu* [ablution] is discussed, the history of the obligation to God [*fardyat*] of performing ablution should be added;

6- In the same book where *al-adhan* [call to prayer] is discussed, *ebteda mashroit ul-adhan* [the beginning of the validity of the call for prayer] should be added;

7- In the same book, the topic of *bayan hasr ahl ul-sunna wal jamaat fel mazaheb al-arba'ata fel asre al hazer* [an explanation that Sunnis will restrict themselves to

[27] 'Zandiq' is a very strong word, carrying the implication that any person so accused could be killed on the spot.

following the four schools of thought in the current day and age] should also be added.

We similarly came across some sentences and words which would be better modified or explained further [such as]:

1- The text under the encouragement for *elme tajwid* [rules governing the pronunciation of the Quran] reads: "It is obligatory upon all Muslims to pronounce every word from their own vocal cords [makhraj]" it would be better if it were amended to: "It is the obligation of every Muslim to try to pronounce words from their own vocal cords";

2- Under the goals of jurisprudence of worship, it is written, "Topics related to prayer and fasting are being taught. Obligations, Sunna and *mustahabat* [recommendations] in prayer," without mentioning *wajebat* [duties] while wajebat is mentioned in the details. It would be better if wajebat is added to that paragraph;

3- The second paragraph of the summary about *tafsir* [exegesis of the Quran] for the second semester reads: "… reviews sentence by sentence and rules and topics extracted from it." This sentence is better amended to: "teaches ways of extracting rules and topics";

4- It is written under the 'thirteenth week': "things that invalidate the fast" [phrase written in Arabic, no translation]; it would have been appropriate if *sawm* [fast] was replaced with 'al-Umrah [and] al-Hajj' [the voluntary and obligatory pilgrimages to Mecca] because the topic of *sawm* [fasting] has already been discussed. There are other similarly minor spelling mistakes which need attention.

The ulema's views were taken for the above-mentioned guidance and we have approved it.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE DEFINING THE STAGES LEGISLATIVE DOCUMENTS MUST PASS THROUGH (9)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning defining the stages legislative documents must pass through

Number: (9)

Date: 28/3/1444 lunar hijri [24 October 2022]

The following points in relation to drafting, validating, approving, signing, enacting and publishing legislative documents are approved by us:

Article one:

(1) The first draft of legislative documents should be prepared by its relevant department;

(2) The department is obliged to form and assign a committee of ulema, experts and skilled professionals from that subject-area to prepare the first draft of the relevant legislative documents;

(3) If the implementation of the legislative documents depends on multiple departments, based on the joint decision of the departments, a committee of ulema, skilled professionals of the subject area and experts from each of the departments should be formed and assigned to prepare the first draft of the legislative document;

(4) The department with greater responsibility for the implementation of the legislative documents should lead and organise the activities of the committee mentioned in part 3 of this article;

(5) The committee mentioned in parts 2 and 3 of this article is tasked with finding and extracting from books of Hanafi fiqh sources of Islamic jurisprudence for Sharia-related issues.

Article two:

(1) Ministries and departments of the Emirate are obliged to send the preliminary drafts of legislative documents, related to them, to the Ministry of Justice for their Sharia-based analysis, review, and evaluation.

(2) The Ministry of Justice is obliged to [ensure that] ulema, law-making specialists and expert academics and legal researchers review and finalise the preliminary drafts of legislative documents mentioned in part 1 of this article;

(3) Esteemed law-making and legal analysing ulema in the Ministry of Justice are obliged to review and evaluate Sharia-related items extracted from the books of Hanafi jurisprudence by the relevant department.

(4) The Ministry of Justice is obliged to prevent contradictions between legislative documents.

Article three:

(1) An independent commission is to be formed for the final review of legislative documents;

(2) The Ministry of Justice is obliged to send the final draft of the legislative documents to the commission mentioned in part 1 of this article for review and proceeding through other stages;

(3) The commission mentioned in part 1 of this article is obliged to carefully review and make all necessary corrections in the final drafts of the legislative documents received from the Ministry of Justice before sending them to the Office of the Leadership;

(4) The commission responsible for the final review of the legislative documents is the last point for reviewing and making corrections which will then be considered ready for signing *[tawsih].* It will then be presented to His Excellency Amir al-Mu'minin, may Allah protect him, for signature;

(5) A special secretariat and administrative structure should be created for the commission responsible for the final review of legislative documents.

Article four:

The signed legislative documents should then be sent to the Ministry of Justice for publication in the Official Gazette.

Article five:

This decree comes into effect from the date of signing and should be published in the Official Gazette.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE CONCERNING THE FORMATION, DUTIES AND POWERS OF THE SECURITY AND SCREENING COMMISSION (12)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the formation, duties and powers of the Security and Screening Commission

Number: (12)

Date: 27/4/1444 lunar hijri [21 November 2022]

In order to remove undesirable and corrupt members of staff from defence and security organisations and to purify other agencies of the Islamic Emirate of Afghanistan with the intent of [providing] better security and further strengthening the Islamic system, I approve the following:

Article one:

(1) A screening commission should be formed in the capital with the following composition:
1- Acting Minister of National Defence as its head.
2- Senior Deputy Minister of Interior is responsible for security issues as its deputy head.
3- Deputy Head of the Intelligence Department in Administrative Affairs as a member.
4- Deputy Head of the General Directorate of the Office of Administrative Affairs[28] in the supervision and policy sector as a member.
5- A representative of the Office of the Leadership as a member.

(2) Security and screening commissions should be established in the provinces with the following composition:
1- Deputy Governor.
2- Official Representative of the Ministry of National Defence.

[28] During the Republic, this body was known as the Office of Administrative Affairs of the President. It has been officially renamed as the General Directorate of Islamic Emirate of Afghanistan Affairs, but is still often referred to by its old name, the Office of Administrative Affairs, or just Administrative Affairs (Edara-ye Umur). Its head holds a powerful, cabinet-level post.

3- Provincial Police Chief.
4- Provincial Head of Intelligence.

(3) In this decree, the Security and Screening Commission in the capital is called the Central Commission and, in the provinces, the Provincial Commissions;

(4) The Central Commission appoints the heads of the Provincial Commissions;

(5) [The duty of] the secretariat of the commission is carried out in the capital by the Ministry of National Defence and in the provinces by a relevant unit from the Ministry of National Defence;

(6) The Central Commission is obliged to prepare a procedure for holding meetings in their own as well as in provincial commissions.

Article two:

(1) The Central Commission has the following duties and powers:
1- Cleansing the defence and security organisations as well as other departments of the Islamic Emirate of Afghanistan from the presence of undesirable and corrupt members of staff;
2- Analysing security situations and potential threats in the capital and provinces via the relevant organisations and making decisions about security issues concerning defence and security organisations;
3- Creating cohesion between defence and security organisations and preparing a joint operational plan when needed;
4- Travelling or sending a delegation to provinces when needed;
5- Sending monthly reports to the Office of the Leadership;

(2) The Central Commission should prepare a procedure for the implementation of rules and regulations for employees of the defence and security organisations and apply them through their relevant organisations;

(3) When the presence of undesirable and corrupt staff members in defence and security organisations is confirmed, the Central Commission should inform the relevant agency to remove them from their jobs. If the relevant agency takes no action, the Central Commission should remove these people from their jobs.

(4) If an undesirable and corrupt person [already] in our ranks disobeys the Central Commission decision or violates instructions from the defence and security organisations or the head of the department, the Central Commission is to send him to the military court;

(5) If an undesirable and corrupt person claims to be part of [Taleban] ranks, or misuses the uniform, ID card, official forms, seals, official addresses, mobile phone

numbers or friendship, or introduces himself as an official from the Emirate, or refuses to leave [Taleban] ranks, the Central Commission should interrogate him and if it is proved that [someone else has been] encouraging him, both should be introduced to the military court.

Article three:

When crimes are not serious, the Central Commission is authorised to take disciplinary actions against offenders by lowering their rank, redeploying them or sending them to a military unit operating in a hostile environment.

Article four:

The Central Commission should gather reliable information from relevant sources to identify those causing or facilitating the entrance of undesirable and corrupt people into the ranks.

Article five:

The Central Commission should summon and interrogate, regardless of their rank, those facilitating the infiltration of undesirable and corrupt people into the ranks of the Islamic Emirate and hand them over to the military court.

Article six:

If individuals criticising the Islamic Emirate's decisions and decrees without a Sharia-based reason are identified by the Central Commission, they should be removed from the ranks.

Article seven:

(1) The Provincial Commissions have the duties and powers contained in sections 1, 2 and 3 of Part 1 under article two and in parts 4 and 5 of the same article as well as in articles four, five and six.

(2) Apart from the duties and powers contained in part 1 of this article, Provincial Commissions also have the following duties and powers:
1- Organising weekly meetings [to strengthen] cohesion.
2- Sending weekly reports to the Central Commission.
3- Informing relevant organisations about the presence of undesirable and corrupt members of staff in order to remove the above-mentioned individuals from their duties. If the relevant organisation fails to take action, the Provincial Commission should refer the issue to the Central Commission.

Article eight:

Individuals with unpleasant pasts or who are disliked by local, esteemed ulema, mujahedin and influential people, or those who have disobeyed Islamic Emirate's decrees should be expelled from defence and security organisations and other departments.

Article nine:

If an official of the Emirate or an armed member extorts [money or goods] from the people, makes threats or physically harms people, raids civilian [homes] on their own without instruction from the relevant organisation using different pretexts, spreads terror, tortures people or commits similar deeds, these people should be expelled from the ranks and handed over to the military court.

Article ten:

Any individual involved in looting or removing without authorisation from the leadership, equipment, military or non-military vehicles, ammunition or gear belonging to the Islamic Emirate will be hunted down and the property of *bait ul-maal* will be recovered. They should be expelled from the defence and security organisations and introduced to the military court if necessary.

Article eleven:

If any [member of our] ranks forges or distributes Islamic Emirate's decrees, orders, rulings and guidelines or fake seals, headed paper of declarations of the Islamic Emirate or does anything similar by means of fraud or scam, they should be expelled from the defence and military organisations and introduced to the military court.

Article twelve:

(1) It is the duty of the Central and Provincial Commissions to hear complaints about undesirable and corrupt individuals in departments other than the defence and security organisations and to make decisions.

(2) The complainant cannot insult anyone's personality, use unsuitable or non-Sharia language or violate anyone's privacy.

Article thirteen:

Apart from their being biometrically registered and suitable surety demanded from those expelled from the defence and security organisations and other departments, their full biography, together with photographs, will be shared with the departments of human

resources of these organisations and departments [so that they can be identified and] expelled from the ranks of the Emirate if they [try to] reappear and handed over to the military court.

Article fourteen:

This decree takes effect from the date of signing and should be published in the Official Gazette.

wa al-salam

Amir al-Mu’minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE BANNING HASHISH CULTIVATION (29)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning banning hashish cultivation

Number: (29)

Date: 25/8/1444 lunar hijri [17 March 2023]

Article one:

(1) Planting hashish is completely prohibited across the country. Henceforth, no one can plant hashish on their land.

(2) If anyone chooses to plant hashish on their land, their harvest will be destroyed.

(3) The Ministry of Interior and other investigative/detective agencies *[kashfi organuna]* are obliged to bring to court those who disobey the ruling contained in part 1 of this article.

(4) The courts are obliged to punish those who violate the ruling in part 1 of this article according to Sharia.

Article two:

This decree will take effect from the date of signing and should be published in the Official Gazette.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE CONCERNING TRANSPARENCY IN PROCUREMENTS AND CONTRACTING (30)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning transparency in procurements and other contracts for ministries and departments of the Emirate

Number: (30)

Date: 25/8/1444 lunar hijri [17 March 2023]

Article one:

For the purpose of transparency in procurement, mining and other contracts for ministries and departments of the Emirate where public property is concerned, officials and employees cannot, directly or indirectly, participate as tenderers in bids for providing goods and services, procuring building materials and mining and other contracts.

Article two:

Private companies with shares or [managing] responsibilities from among the officials and employees of the Emirate are also subject to the ruling contained in article one of this decree.

Article three:

This decree will take effect from the date of signing and should be published in the Official Gazette.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

DECREE PROHIBITING THE DISTRIBUTION, SELLING AND TRANSFER [OF OWNERSHIP] OF EMIRATI [STATE] LAND (31)

In the name of Allah, the most merciful

Decree of His Excellency Amir al-Mu'minin, may Allah protect him, concerning prohibiting the distribution, selling and transfer [of ownership] of Emirati [state] land

Number: (31)

Date: 25/8/1444 lunar hijri [17 March 2023]

Article one:

Distribution and selling Emarati (Sultani) [belonging to the Emirate or ruler, ie state] land is prohibited without a decree from His Excellency Amir al-Mu'minin, may Allah protect him. Ministries, departments and municipalities of the Emirate cannot distribute or sell the above-mentioned land to individuals or corporate personalities.

Article Two:

Transferring [ownership] of Emarati (Sultani) land to ministries, departments or municipalities of the Emirate is prohibited without a decree from His Excellency Amir al-Mu'minin, may Allah protect him. The [ownership] of the above-mentioned land can be transferred by a decree when needed.

Article three:

This decree will take effect from the date of signing and should be published in the Official Gazette.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING THE ENDORSEMENT OF THE [ESTABLISHMENT] OF THE NATIONAL PROCUREMENT COMMISSION (202)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the endorsement of the [establishment] of the National Procurement Commission

Number: (202)

Date: 7/3/1444 lunar hijri [3 October 2022]

To ensure transparency, effective service provision, problem-solving and the regulation of procurement-related activities, I endorse the [establishment of] a National Procurement Commission under the Deputy Prime Minister for Economic Affairs and with the following individuals as its members:

1- Acting Finance Minister as member;

2- Acting Minister of Economy as member;

3- Minister of the sector to which the project belongs as member;

4- Head of Administrative Affairs[29] as Secretary;

The above-mentioned commission is tasked with starting its work at the earliest possible date and sending its report to the Office of the Leadership.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

[29] See footnote 23.

ORDER CONCERNING GRANTING FISCAL AUTHORITY TO MINISTRIES AND BUDGET ORGANISATIONS IN PROCUREMENT (778)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning granting fiscal authority to ministries and budget organisations in procurement

Number: (778)

Date: 14/3/1444 lunar hijri [10 October 2022]

To ensure transparency, effective service provision, problem-solving and the regulation of procurement-related activities, the following mandates [upper-cost limits without further permission] are delegated to ministries and budget organisations:

1- In procuring non-advisory services (activities not related to consultations, goods purchasing and constructions, [but] involving rents, leasing, maintenance of houses, offices, vehicles, warehouses, labour wages and so on) thirty-five million afghanis [approximately 407,000 USD].

2- In procuring advisory services (involving activities with professional, intellectual and advisory nature, as well as designing, monitoring, learning, inspecting, developing software, expert ideas and suggestions, professional and information services), twenty million afghanis [approximately 232,000 USD].

3- In procurements related to construction (constructing, rebuilding, demolishing, constructing a building from scratch, landscaping, digging, installing, assembling, decorating, including its ancillary services, drilling, mapping, photographing and its related services, and things like this, subject to the terms of the contract, provided the cost of ancillary services does not exceed the cost of the building [work] itself, excluding ancient buildings with historic value) fifty million afghanis [approximately 581,000 USD].

4- When the cost of procuring non-advisory, advisory and construction services for ministries and budget organisations exceeds the amounts mentioned above, all documents related to their procurement should be submitted to the National Procurement Commission for evaluation and judgement.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING SHIFTING THE DEPARTMENT OF LAW FROM THE MINISTRY OF JUSTICE TO THE SUPREME COURT (932)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning shifting the Department of Law from the Ministry of Justice to the Supreme Court

Number: (932)

Date: 28/3/1444 lunar hijri [24 October 2022]

A delegation headed by the acting head of the General Directorate of [Islamic Emirate of Afghanistan's Affairs], Sheikh Mawlawi Nur al-Haq Nuri, with representatives of the Ministry of Justice and the Supreme Court as its members, is obliged to prepare and, following the approval of the leadership, implement a practical draft for shifting the Department of Law from the Ministry of Justice to the Supreme Court.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING THE DISSOLUTION OF THE ORGANISATIONS, DEPARTMENTS AND LEGAL AND JUDICIAL CENTRES OF THE DEPARTMENT FOR FIGHTING AGAINST SERIOUS ADMINISTRATIVE CORRUPTION (1215)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the dissolution of the organisations, departments and legal and judicial centres of the Department for Fighting Against Serious Administrative Corruption

Number: (1215)

Date: 21/4/1444 lunar hijri [15 November 2022]

Article one:

(1) The General Department for Fighting Against Serious [literally heavy] Administrative Corruption within the Ministry of Interior should be dissolved. The duties of the above-mentioned department should be carried out by the General Department of Criminal Offences in the Ministry of Interior.

(2) The organisation and General Department for Fighting Against Serious Administrative Corruption should be removed from the administrative structure of the Office of the Attorney General [Loya Saranwali] and General Directorate of Intelligence.

(3) If officials from the General Directorate of Intelligence became aware of serious administrative corruption, they are obliged to pass on the information to the General Department of Criminal Offences within the Ministry of Interior.

Article two:

(1) The Anti-Serious Administrative Corruption Court should be removed from the administrative structure of the Supreme Court and jurisdiction of the above-mentioned court should be transferred to the military court.

(2) The Office of the Attorney General is obliged to hand over to the military court [all] of the Counter-Serious Administrative Corruption Court's files and books of documents' registration and get a written acknowledgement *[rasid].*

Article three:

(1) The Legal and Judicial Centre for Fighting Against Serious Administrative Corruption should be dissolved. Its infrastructure (buildings) should be handed over to the military court;

The Ministry of Interior and the Office of the Attorney General must take back their devices and equipment from the Legal and Judicial Centre.

Article four:

The Ministry of Interior, the General Directorate of Intelligence and the Supreme Court can hire, according to the rules, [any] staff members [made redundant] from the relevant [dissolved] organisations and departments, if there is need of [their service].

Article five:

This order takes effect from the date of signing and should be implemented.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING THE DISSOLUTION OF THE GENERAL DEPARTMENT OF THE MUNICIPALITIES (1216)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the dissolution of the general department of the municipalities

Number: (1216)

Date: 21/4/1444 lunar hijri [15 November 2022]

Based on article 58 of 'Majalat al-Ahkam al-Adlia' [the Journal of Justice], 'al-Tasarruf ala Raiya Manut bil Maslaha' [Acting Towards the Local Community/Citizenry According to the Common Good], in order to arrange urban affairs better, I approve the following:

Article one:

(1) Provincial and district municipalities are to function under their relevant provinces;

(2) In taking into account part 1 of this article, the General Department of Municipalities is dissolved.

Article two:

(1) A joint delegation should be formed [with representatives] from the General Directorate of the Islamic Emirate of Afghanistan's Affairs, Ministry of Interior, Ministry of Finance and the General Department of Municipalities of the Islamic Emirate of Afghanistan to register and hand over to the General Directorate of the Islamic Emirate of Afghanistan's Affairs the buildings, vehicles, tools and other equipment belonging to the General Directorate, which has been dissolved according to part 2 of article one, together with records and document files.

(2) The General Directorate of the Islamic Emirate of Afghanistan's Affairs is obliged to transfer records and document files mentioned in part 1 of this article to the concerned clients, when needed.

Article three:

(1) The Ministry of Finance is obliged to transfer to the General Directorate of the Islamic Emirate of Afghanistan's Affairs the remaining budget of the above-mentioned dissolved department for the year 1401 solar hijri [2022-23];

(2) The General Directorate of the Islamic Emirate of Afghanistan's Affairs should clear the liabilities of the dissolved department and pay all salaries and benefits [owing] to the department's staff, who will remain on duty until the ruling of article two of this order is fully implemented;

(3) Budgets [comprised of] revenue related to provincial and district municipalities belong to those municipalities and will be spent on the affairs of the municipalities.

Article four:

This order will take effect from the date of signing and should be implemented.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING THE DISSOLUTION OF MILITARY COURTS OF THE MINISTRY OF NATIONAL DEFENCE (1557)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the dissolution of military courts of the Ministry of National Defence

Number: (1557)

Date: 16/5/1444 lunar hijri [15 December 2022]

Article one:

As military *[askari]* courts for all three security organisations (Ministry of National Defence, Ministry of Interior and the General Directorate of Intelligence) were granted approval in 1443 hijri within the administrative structure of the Supreme Court, all military courts in the Ministry of National Defence should be dissolved.

Article two:

The Ministry of National Defence is obliged to transfer to the Supreme Court records and documents of the courts dissolved in article one of this order.

Article three:

This order will take effect from the date of signing.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING CONSIDERATION OF CASES BY COURTS (1820)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning consideration of cases by courts

Number: (1820)

Date: 9/6/1444 lunar hijri [2 January 2023]

To the esteemed Head of the Supreme Court,

Peace and Allah's mercy and blessings be upon you.

May Allah Almighty grant you good health and wellness.

Order all related courts to implement the following instructions:

1- *Ebtedaeya* [primary] courts should consider cases within a month. If a judge cannot oversee proceedings within this time frame because of a reasonable and legitimate excuse, he must present his excuse [explanation] to the Supreme Court;

2- *Murafe'a* [high] courts should consider cases in twenty days to one month. If a judge cannot oversee proceedings within this time frame because of a reasonable and legitimate excuse, he must present his excuse [explanation] to the Supreme Court

3- *Tamiz* [last instance] offices should consider cases in twenty days to one month. If the head of an office cannot oversee proceedings within this time frame because of a reasonable and legitimate excuse, he must present his excuse [explanation] to the Supreme Court;

4- All judges should consider cases of hudud and qisas with urgency and give them priority.

5- All judges should give urgency to criminal cases involving prisoners;

6- Fifteen people should be added to the staff of the Inspection and Investigation [Department], ten people in the Supreme Court and five people to the High Court of Tamiz for Southwestern Zone;

7- When the workload of a court is lighter [than others], the Supreme Court can make use of its judges, *muftis* [providers of fatwas] and secretaries to work for up to one year from the date of a written request *[maktub]* in courts with a heavier workload on the basis of *estikhlaf* [transfer or borrowing] in order to relieve their burden.

wa al-salam

Amir al-Mu'minin, Authority in teaching Quran and Hadith

Mawlawi Hibatullah Akhundzada

ORDER CONCERNING THE PREVENTION OF DRUG ADDICTION AND TREATMENT OF DRUG ADDICTS (2234)

In the name of Allah, the most merciful

Order of His Excellency Amir al-Mu'minin, may Allah protect him, concerning the prevention of drug addiction and treatment of drug addicts

Number: (2234)

Date: 7/7/1444 lunar hijri [29 January 2023]

Because using drugs can slowly affect a person's life, the Islamic system has a duty to prevent its people from using every kind of drug. Governors of all provinces should take necessary action to prevent people in their province from using drugs. Centres and treatment facilities should be established for those already addicted, which must urgently fulfil whatever is necessary for their treatment.

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The Decrees, Edicts and Instructions of His Excellency[30]

Amir al-Mu'minin "The Supreme Leader"

(May Allah Protect Him)

22nd May 2023

Issue No: 1432

[30] This is the only section in the document that is in English – and English only. The dates also use the Western calendar only.