

## 3.6: The Afghan Judge

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### Summary

This chapter explains the role of an Afghan judge during a criminal trial including his/her obligation to be independent and impartial, to protect the fundamental rights of Afghans citizens by upholding procedural guarantees, and to make a decision based on the law. This chapter also refers to the Judicial Code of Conduct, which is binding on all judges in Afghanistan and addresses some of the major challenges judges face.

### Introduction

The Constitution of Afghanistan mandates the independence of the courts stating, “The judiciary shall be an independent organ of the state of the Islamic Republic of Afghanistan.”<sup>1</sup> Certain procedural and administrative structures are in place to ensure the independence of the judiciary as an institution. In addition, judges are expected to perform their duties independent of any undue influence and within the confines of the law. This chapter will outline some of the mechanisms intended to provide institutional independence of the judiciary and then focus on the obligations of the individual judge to be independent, uphold procedural fairness in the court, and determine cases within the confines of the law. The chapter also reviews some of the major challenges facing judges in Afghanistan including security concerns, lack of personnel, and the need for better education and training. This chapter is based, in part, on the Interim Criminal Procedure Code. On February 23, 2014, a new Criminal Procedure Code (CPC) was signed into law. A copy of the CPC was not available at the time of this writing. The new CPC may result in changes to the role of a judge.

### Independent Judiciary

The Afghan Constitution and the Law of the Organization & Jurisdiction of the Courts of the Islamic Republic of Afghanistan (Law on Courts) set forth the structure, jurisdiction, and composition of the Afghan court system.<sup>2</sup> The court system includes the Supreme Court, the Courts of Appeals, and the Primary Courts.<sup>3</sup> The Constitution mandates the independence of the judiciary as an institution.<sup>4</sup> Institutional independence is supported by certain administrative

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<sup>1</sup> 2004 Constitution of Afghanistan (Translated by Sayed Shafi Rahel for the Secretariat of the Constitutional Commission)(hereinafter Constitution), Art. 116: [http://supremecourt.gov.af/Content/Media/Documents/constitution2004\\_english3012201016726844.pdf](http://supremecourt.gov.af/Content/Media/Documents/constitution2004_english3012201016726844.pdf); see also Law of the Organization and Authority of the Courts of the Islamic Republic of Afghanistan, Official Gazette No. 1109, 19 June 2013 (1392/4/9) (translation provided by UNAMA) (hereinafter Law on Courts).

<sup>2</sup> Ibid, Law on Courts, Art. 5(1).

<sup>3</sup> Constitution, *supra* note 1, Art. 116. A full discussion of the court structure can be found in Chapter 2.1: Afghanistan’s Formal Justice Institutions.

<sup>4</sup> Constitution, *supra* note 1, Art. 116.

mechanisms intended to limit the possibility of political influence including the selection and removal process, and the prohibition on political party membership.

*The Selection Process:* Supreme Court Judges are appointed by the President upon approval of the lower house of the National Assembly (the *Wolesi Jirga*).<sup>5</sup> All other judges are selected by the Supreme Court and approved by the President.<sup>6</sup> The selection process has been criticized for not truly providing independence. It has been argued that the President's ability to appoint lower court judges without the approval of the *Wolesi Jirga* undermines the lower court judges' independence and makes them less likely to refer a politically sensitive case to the Supreme Court.<sup>7</sup>

*Removal from Office:* The dismissal of a Supreme Court Judge who is to be dismissed and tried for a felony or crime committed during the performance of his/her duty requires the approval of 2/3 majority of the *Wolesi Jirga*.<sup>8</sup> All other judges accused of committing a crime can be dismissed only if both the Supreme Court and the President approve the dismissal.<sup>9</sup> This procedural mechanism is intended to allow judges to make decisions without fear of dismissal for political reasons.

*Prohibition on Political Party Membership:* The Constitution, as well as the Law on Courts, prohibits judges from being members of a political party while holding office.<sup>10</sup> Again, the intent is to distance judges from any undue political influence allowing them to be independent in their decision making, acting only in accordance with the law.

## Independent and Impartial Judges

In addition to institutional mechanisms established to provide independence to the judiciary, every judge in Afghanistan takes an oath of office that obligates him/her to perform his/her duties independently and impartially, and within the confines of the law.

### JUDGES OATH:

I swear by the name of the Almighty Allah that I perform my duty with full trust and dignity and impartiality, respect and implement provision of Islamic *Shari'a*, constitution of Afghanistan and

<sup>5</sup> Constitution, *supra* note 1, Art. 117.

<sup>6</sup> Constitution, *supra* note 1, Art. 132.

<sup>7</sup> See International Crisis Group, *Reforming Afghanistan's Broken Judiciary*, Asia Report No 195, November 17, 2010 (hereinafter *Reforming Afghanistan's Broken Judiciary*), p. 16:

[http://www.crisisgroup.org/~media/Files/asia/south-asia/afghanistan/195%20Reforming%20Afghanistans%20Broken%20Judiciary.ashx](http://www.crisisgroup.org/~/media/Files/asia/south-asia/afghanistan/195%20Reforming%20Afghanistans%20Broken%20Judiciary.ashx)

<sup>8</sup> Constitution, *supra* note 1, Articles 117 and 127.

<sup>9</sup> *Ibid*, Art. 133.

<sup>10</sup> *Ibid*, Art. 118(6); Law on Courts, *supra* note 1, Art. 20.

other laws of the country, respect confidentiality of my duty, will not commit any crime, violation of other rights, injustice, and bribery directly and indirectly.<sup>11</sup>

The Regulation of Judicial Conduct for the Judges of the Islamic Republic of Afghanistan (Judicial Code of Conduct), which is binding on all Afghan judges, reiterates the ethical duty of every judge to be independent:<sup>12</sup>

The independence and neutrality of a judge are the sole guarantees to ensure the administration of rights and the dispensing of justice. Hence, the judge shall be required to strictly prevent any interference, or attempt at interference, in the affairs that fall within his or her jurisdiction by other authorities or persons, including relatives. He or she shall respect and comply with the law, and shall bear in mind that in exercising his or her judicial functions, he or she shall not be subject to any authority other than the authority of the law.

#### Comments

Under article 116 of The Constitution of Afghanistan, the judicial branch is an independent organ of the state of the Islamic Republic of Afghanistan. For the public to accept the independence of the judicial branch, and give deference to the rulings and judgments of the courts, the public must have confidence in the integrity and independence of the judges. To earn and retain this confidence, judges must comply with the law and act without fear or favor. They must not accept any interference or attempt at interference from authorities within the other organs of the state, from others within the judicial branch, or from any other persons, in any cases that are before them. They must be unmoved by partisan interests, public clamor, or fear of criticism.

In addition to being independent, judges are expected to be impartial. The Judicial Code of Conduct defines impartiality as “the absence of bias or prejudice in favor of, or against, a particular party, as well as maintaining an open mind in considering issues that may come before the judge.”<sup>13</sup> To that end, judges are expected to avoid activities that may unfairly influence their decisions including accepting a gift, loan, reward or favor.<sup>14</sup> If a judge cannot be impartial,

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<sup>11</sup> Law on Courts, *supra* note 1, Art. 82.

<sup>12</sup> Regulation of Judicial Conduct for the Judges of the Islamic Republic of Afghanistan, 19 June 2007 (hereinafter Code of Conduct), Articles 2 & 3, and Art. 3 official comment: <http://www.deontologie-judiciaire.umontreal.ca/fr/codes%20enonces%20deonto/documents/REGULATIONOFJUDICIALCONDUCTFORTHEJUDGESOFTHEISLAMICREPUBLICOFAFGHANISTAN.pdf>.

<sup>13</sup> *Ibid*, Art. 6 official comment.

<sup>14</sup> *Ibid*, Art. 21; *see also* Afghanistan Penal Code, Official Gazette No. 852, published 2005/05/31(1384/03/10 A.P.), Art. 254. Unofficial translation available on Afghanistan Legal Documents Exchange Center (ALDEC): <http://afghantranslation.chechiconsulting.com>.

he/she is required to recuse him/herself from the case. The Interim Criminal Procedure Code (ICPC) assumes a judge cannot be impartial in certain instances and requires a judge to abstain from a case if: 1) the crime was committed against him/her or his/her relatives; 2) the judge performed the duties of the judicial police or the prosecutor, or acted as a witness or expert in the case; or 3) has been counsel for the accused.<sup>15</sup> The Judicial Code of Conduct, however, states that a judge must recuse him/herself from a case if he/she *reasonably believes* he/she cannot decide the case impartially stating:<sup>16</sup>

Whenever a judge reasonably believes that due to inevitable pressure he or she may not be able to decide a case impartially, he or she shall disqualify himself or herself from considering the case. A judge shall also disqualify himself or herself from considering a case in which a reasonable, fair-minded person might believe that the judge is unable to decide the case impartially. In cases where, according to the law, a judge is disqualified, he or she shall not participate in the consideration of that case.

The impartiality of a judge extends to the performance of all of his/her duties including conducting a trial. The Judicial Code of Conduct recognizes that “[a] judge who exhibits bias on any basis in a proceeding impairs the fairness of the proceeding and brings the court and the judicial branch into disrepute.”<sup>17</sup> The following section will explore the judges’ obligation to protect the fundamental rights of all citizens and ensure procedural fairness during a court proceeding.<sup>18</sup>

## Fundamental Rights and Procedural Guarantees

The Constitution recognizes 37 fundamental rights and duties for citizens of Afghanistan.<sup>19</sup> Some of those rights include the presumption of innocence,<sup>20</sup> due process of law,<sup>21</sup> the right to an attorney,<sup>22</sup> equal protection under the law,<sup>23</sup> protection from compelled confession and torture,<sup>24</sup>

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<sup>15</sup> Interim Criminal Procedure Code, Official Gazette No. 820, published 2004/02/25 (1382/12/06 A.P.)(hereinafter ICPC), Articles 11 and 12. Available on the Afghan Attorney General’s Office website: <http://ago.gov.af/en/documents>; or <http://www.asianlii.org/af/legis/laws/icc175/>. A new Criminal Procedure Code was signed into law on February 23, 2014, but was not available at the time of this writing.

<sup>16</sup> Code of Conduct, *supra* note 12, Art. 6.

<sup>17</sup> *Ibid*, Art. 15 official comment.

<sup>18</sup> See Chapter 3.2: The Process of a Criminal Justice Case in Afghanistan for an overview of the process of a formal criminal case from detection to prosecution.

<sup>19</sup> See Constitution, *supra* note 1, Articles 22-59.

<sup>20</sup> *Ibid*, Art. 25.

<sup>21</sup> *Ibid*, Art. 27.

<sup>22</sup> *Ibid*, Art. 31. See Chapter 3.5: The Afghan Advocate for a discussion on the right to an attorney.

<sup>23</sup> *Ibid*, Art. 22.

<sup>24</sup> *Ibid*, Articles 29(10 & (2) and 30(1).

protection from imprisonment for a debt,<sup>25</sup> and the protection against arbitrary detention.<sup>26</sup> It is the responsibility of the judge to ensure these fundamental rights are protected.

Article 27 of the Constitution guarantees every citizen due process of law and freedom from ex post facto laws.<sup>27</sup>

No deed shall be considered a crime unless ruled by a law promulgated prior to commitment of the offense.

No one shall be pursued, arrested, or detained without due process of law.

No one shall be punished without the decision of an authoritative court taken in accordance with the provisions of the law, promulgated prior to commitment of the offense.

The Constitution further establishes that all persons are innocent “until proven guilty by the order of an authoritative court.”<sup>28</sup> The ICPC reiterates this legal principle stating: “From the initial penal action until the announcement of criminal responsibility, the person (suspect/accused) is presumed innocent. Deprivation of limitations of human rights must be strictly confined to the need of collecting evidence and establishing the truth.”<sup>29</sup> Accordingly, at the beginning of a trial the judge is required to read the indictment to the court and if the accused is in detention, the judge is required to immediately assess the legality of the arrest.<sup>30</sup> If the arrest was unlawful or unnecessary, the court must order the defendant’s release.<sup>31</sup>

The police, prosecutor *and the court* are all “duty bound to clearly inform the suspect and the accused before interrogation and at the time of arrest about his or her right to remain silent, right to representation at all times by defense counsel, and right to be present during searches, line-ups, expert examinations, and trial.”<sup>32</sup> The court is responsible for ensuring these rights are known and protected. A defendant’s right to an attorney is discussed fully in Chapter 3.5. The right to remain silent exists during questioning by the police, judicial authorities and during trial.<sup>33</sup> A suspect/accused “shall not undergo intimidations [sic] or any form of physical or psychological pressure...[S]tatements shall be made in a condition of absolute moral freedom.”<sup>34</sup> The Constitutions guarantees that “No one shall be allowed to or order torture, even for discovering the truth from another individual who is under investigation, arrest, detention or has

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<sup>25</sup> Ibid, Art. 32.

<sup>26</sup> Ibid, Art. 27.

<sup>27</sup> Ibid, Art. 27.

<sup>28</sup> Ibid, Art. 25.

<sup>29</sup> ICPC, *supra* note 15, Art. 4.

<sup>30</sup> Ibid, Art. 53.

<sup>31</sup> Ibid.

<sup>32</sup> Ibid, Art. 5(7).

<sup>33</sup> Ibid, Art. 5(6) & Art. 53(5).

<sup>34</sup> Ibid, Art. 5(4-5).

been convicted to be punished.”<sup>35</sup> Any statement, confession or testimony obtained by means of compulsion is invalid and it is the responsibility of the court to exclude such evidence.<sup>36</sup> Moreover, if the defendant and/or his/her counsel were not present when witness testimonies or expert examinations were taken, the court cannot consider the information as evidence upon which it can base its decision.<sup>37</sup> The judge, therefore, must determine during the trial if the evidence was obtained properly. Evidence collected contrary to the law is invalid and the court cannot use it as a basis for judgment.<sup>38</sup>

In addition to ensuring evidence is properly obtained, the court is responsible for ensuring equal protection of the law to all citizens. The Constitution prohibits discrimination and mandates equal rights and duties to all citizens.<sup>39</sup> The Law on Courts reiterates the principle of equal protection under the law providing:<sup>40</sup>

The court shall be independent in issuing decisions and issue its verdict based on provided evidence according to provisions of the law. Trying the case and issuing order by the court shall be based on principle of parties’ equality before law and administering justice and impartiality.

Moreover, the Judicial Code of Conduct states:<sup>41</sup>

A judge, while considering a case, shall pay solemn attention to the litigants and shall carry out the proceeding on the basis of equality of both parties before the law and court, and shall not grant any kind of distinction or privilege to any of the parties. A judge shall not hear a party or representative of a party on a matter that might influence his or her ruling in the absence of the other party or the party’s agreement.

The Judicial Code of Conduct further requires a judge to “avoid any discrimination for reasons related to race, gender, ethnicity, sect, language, religion, or disposition while carrying out his or her judicial duties.”<sup>42</sup> The official comment specifically cautions judges to “be alert to avoid behavior, including gestures and facial expressions, as well as speech that may be perceived by the parties, the attorneys, or other persons, or the public as indicative of judicial bias.”<sup>43</sup>

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<sup>35</sup> Constitution, *supra* note 1, Art. 29.

<sup>36</sup> *Ibid*, Articles 30 & 7.

<sup>37</sup> ICPC, *supra* note 15, Art. 55: “The related deeds have the sole value of clues.” *See also* Chapter 3.5: The Afghan Advocate.

<sup>38</sup> *Ibid*, Art. 7.

<sup>39</sup> Constitution, *supra* note 1, Art. 22.

<sup>40</sup> Law on Courts, *supra* note 1, Art. 19.

<sup>41</sup> Code of Conduct, *supra* note 12, Art. 10.

<sup>42</sup> *Ibid*, Art. 15.

<sup>43</sup> *Ibid*, Art. 15 official comment.

Both the prosecutor and the accused and/or his defense counsel have the right to present to the court a list of witnesses and experts to be presented indicating the relevance of their testimony.<sup>44</sup> The court can exclude witnesses or experts that it views immaterial for the adjudication of the case.<sup>45</sup> The court can also, on its own initiative, order the appearance of witnesses or experts not included on the prosecutor's or defendant's lists.<sup>46</sup> The ICPC provides that the trial shall be held in the following order:<sup>47</sup>

- a. At the opening of the hearing the Court reads out the act of indictment;
- b. When the accused is under detention the Court shall immediately assess the legality of the arrest and order the liberation of the accused when realizes [sic] that the arrest was unlawful or not necessary;
- c. The Primary Saranwal [prosecutor] makes an oral presentation of the case and of the findings of the investigations;
- d. The judicial police officers who have conducted the investigations make oral reports of the activities accomplished;
- e. The first witness to be heard is the victim;
- f. Then other witnesses and the experts are heard;
- g. The accused can testify if he does not avail himself of the right to remain silent and the accused or his defense counsel can ask questions to the witnesses and the experts;
- h. In case the witness cannot be present for health reasons the Court can hear him in his domicile;
- i. The primary Saranwal [prosecutor] and the defense lawyer can ask question[s] to the accused.

It should also be noted that the "Court can, at any time, address questions to the accused, to any witness in the hearing and order confrontations."<sup>48</sup> If during the trial there are additional crimes or aggravating circumstances not included in the indictment or if the definition of the crime is different from the indictment, the court must provide the defense adequate time to prepare a defense.<sup>49</sup> At the conclusion of the trial, the prosecutor asks the court to make a decision presenting the kind and amount of punishment the State deems appropriate.<sup>50</sup> The defendant, or his/her counsel, is allowed to submit arguments in rebuttal.<sup>51</sup>

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<sup>44</sup> ICPC, *supra* note 15, Art. 51.

<sup>45</sup> *Ibid.*

<sup>46</sup> *Ibid.*

<sup>47</sup> *Ibid.*, Art. 53.

<sup>48</sup> *Ibid.*

<sup>49</sup> *See Ibid.*, Articles 56 & 57.

<sup>50</sup> *Ibid.*, Art. 58(1).

<sup>51</sup> *Ibid.*, Art. 58(2).

## Court Decisions

Following the recommendations of the prosecutor, and any rebuttal by the defense, the court concludes the trial proceedings and adjourns to chambers to prepare a written decision.<sup>52</sup> The court's decision must contain:<sup>53</sup>

- a. The identification of the accused;
- b. The description of the facts and of the circumstances included in the accusation;
- c. A terse exposition of the reasons of the same decision with reference to facts and law provisions;
- d. The verdict

The Constitution mandates, "In cases under consideration, the courts shall apply provisions of this Constitution as well as other laws. If there is no provision in the Constitution or other laws about a case, the courts shall, in pursuance of *Hanafi* jurisprudence, and, within the limits set by this Constitution, rule in a way that attains justice in the best manner."<sup>54</sup> The court is required to apply *Shi'i* jurisprudence in cases involving personal matters of *Shi'i* followers.<sup>55</sup> The Law on Courts reiterates the courts responsibility to base its decision on the law:<sup>56</sup>

The courts shall resolve cases in accordance with the Constitution and other laws of the country. If there is no clear legal provision for the case, the case shall be handled in accordance with Articles 130 and 131 of the Constitution.

The verdict, along with the legal reasoning, is read out loud in the court room and serves as notice to the defendant.<sup>57</sup> If the court does not read the verdict in open court, the decision must be deposited in the office of the secretary of the court within 15 days of the decision.<sup>58</sup> Notice that the decision was deposited with the secretary of the court must be provided to the prosecutor, the defendant, and defense counsel.<sup>59</sup> If the accused is tried in absentia, notice of the deposit is served on defense counsel.<sup>60</sup>

## Challenges

One of the major challenges facing judges in Afghanistan is the lack of security. Since 2002, it has been reported that 30-40 judicial personnel have been killed including 15 judges.<sup>61</sup> Lack of

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<sup>52</sup> Ibid, Art. 59(1).

<sup>53</sup> Ibid, Art. 61.

<sup>54</sup> Constitution, *supra* note 1, Art. 130. See Chapter 2.4: The Hierarchy of Laws in Afghanistan.

<sup>55</sup> Ibid, Art. 131.

<sup>56</sup> Law on Courts, *supra* note 1, Art. 13.

<sup>57</sup> ICPC, *supra* note 15, Art. 59(2).

<sup>58</sup> Ibid.

<sup>59</sup> Ibid, Art. 59(3).

<sup>60</sup> Ibid, Art. 59(4&5).

<sup>61</sup> *Reforming Afghanistan's Broken Judiciary*, *supra* note 7, p. 2.



security has driven judges away from the provinces and into the urban centers.<sup>62</sup> In July 2010, the Supreme Court “estimated that 69 of 364 district courts were not operational due to insecurity.”<sup>63</sup>

As discussed in Chapter 3.1, judges are challenged by the need for better education and training.<sup>64</sup> Some observations from a 2011 survey of 32 cases highlight the short-coming of judges in applying the law in court cases:<sup>65</sup>

1. In most of the cases, notice of a hearing was not provided to the parties; only the judge or court clerks were aware of the schedule.
2. In four cases the court failed to read the charge at the beginning of the trial.
3. The court assessed the legality of the arrest as part of the hearing in only 10 cases.
4. In 12 cases the court did not advise the accused of his right to refrain from testifying.
5. In six cases, the defense attorney was not present for the hearing.
6. In two cases, neither the prosecutor nor the defense counsel was present and in both of those cases the accused was found guilty.
7. The prosecutor did not call a single witness in any of the observed cases, and only read the police investigation report.
8. The defense attorney presented witnesses in only four cases.

Other major challenges facing judges include the lack of personnel and undue influence. The current Supreme Court *tashkil* (official billeting) provides for a total of 2,296 judges.<sup>66</sup> Taking into account the vacancies, there are 1,849 sitting judges.<sup>67</sup> In 2010, the International Crisis Group reported, “Nationwide, the ratio of citizens to judges is an estimated 21,317 persons to a judge. In highly insecure and unstable areas, the ratio is much worse with 76,200 citizens to a judge in Kandahar province and 60,200 per judge in Helmand.”<sup>68</sup> Lastly, interference in cases by influential persons remains an issue and the courts continue to struggle for independence.

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<sup>62</sup> See *ibid*, p. 24.

<sup>63</sup> *Ibid*, ftnt. 198.

<sup>64</sup> See Chapter 3.1: Legal Education and Training in Afghanistan.

<sup>65</sup> See DOS INL/JSSP *Judicial Training Assessment*, April 28, 2011, pp.9-10.

<sup>66</sup> Information provided by the International Development Law Organization (IDLO), February 2014.

<sup>67</sup> *Ibid*.

<sup>68</sup> *Reforming Afghanistan’s Broken Judiciary*, *supra* note 7, p.23.

## Resources

- 2004 Constitution of Afghanistan (Translated by Sayed Shafi Rahel for the Secretariat of the Constitutional Commission):  
[http://supremecourt.gov.af/Content/Media/Documents/constitution2004\\_english3012201016726844.pdf](http://supremecourt.gov.af/Content/Media/Documents/constitution2004_english3012201016726844.pdf).
- Law of the Organization and Authority of the Courts of the Islamic Republic of Afghanistan, Official Gazette No. 1109, 19 June 2013 (1392/4/9) (translation provided by UNAMA).
- Regulation of Judicial Conduct for the Judges of the Islamic Republic of Afghanistan, adopted by the Supreme Court on 19 June 2007: <http://www.deontologie-judiciaire.umontreal.ca/fr/codes%20enonces%20deonto/documents/REGULATIONOFJUDICIALCONDUCTFORTHEJUDGESOFTHEISLAMICREPUBLICOFAFGHANISTAN.pdf>.
- Interim Criminal Procedure Code, Official Gazette No. 820, published 2004/02/25 (1382/12/06 A.P.). Available on the Afghan Attorney General's Office website: <http://ago.gov.af/en/documents>; or <http://www.asianlii.org/af/legis/laws/icc175/>. A new CPC was signed into law on February 23, 2014.

## Other Resources

- Max Planck Manual on Judicial Ethics in Afghanistan, Amended 2nd edition, Heidelberg and Kabul 2009. MPI Manuals on the Law of Afghanistan:  
[http://www.mpil.de/en/pub/service/globaler\\_wissenstransfer/afghanistan\\_project/publications/max\\_planck\\_manuals\\_on\\_the\\_law.cfm](http://www.mpil.de/en/pub/service/globaler_wissenstransfer/afghanistan_project/publications/max_planck_manuals_on_the_law.cfm).
- Max Planck Manual on the Organization and Jurisdiction of the Afghan Courts: Afghan Court Organisation and its Compliance with the Constitution and International Law (3<sup>rd</sup> Ed., 2009) by Ramin Moshtaghi. MPI Manuals on the Law of Afghanistan:  
[http://www.mpil.de/en/pub/service/globaler\\_wissenstransfer/afghanistan\\_project/publications/max\\_planck\\_manuals\\_on\\_the\\_law.cfm](http://www.mpil.de/en/pub/service/globaler_wissenstransfer/afghanistan_project/publications/max_planck_manuals_on_the_law.cfm).
- USAID: Regulation of Judicial Conduct for Judges of the Islamic Republic of Afghanistan, Training Course, October 2007:  
[http://afghantranslation.chechiconsulting.com/documents/training/RegulationofJudicialConductFTC-FinalVersion\\_English.pdf](http://afghantranslation.chechiconsulting.com/documents/training/RegulationofJudicialConductFTC-FinalVersion_English.pdf).
- USAID: Work of the Judge Judicial Training Course, 2008:  
[http://afghantranslation.chechiconsulting.com/documents/training/Work\\_of\\_the\\_Judges\\_eng.pdf](http://afghantranslation.chechiconsulting.com/documents/training/Work_of_the_Judges_eng.pdf).
- International Crisis Group, *Reforming Afghanistan's Broken Judiciary*, Asia Report No 195, November 17, 2010: <http://www.crisisgroup.org/~media/Files/asia/south-asia/afghanistan/195%20Reforming%20Afghanistans%20Broken%20Judiciary.ashx>.