

Internews Newsletter on Freedom of Journalism in Afghanistan

Issue #1 - August 2004

The fact that journalists in Afghanistan work under extremely difficult circumstances is well-established. The problems faced by them range from violence, threats, intimidation to harassment and hurdles that prevent them from carrying out their work. The perpetrators vary: government officials, members of the security apparatus, political figures, war lords, extra-constitutional authorities, armed militias and hostile groups.

While some of the incidents are publicized and documented by international bodies working for the protection of media, the majority of incidents go unreported. Not only is the international community unaware of them, but even journalists are often uninformed about what is happening to their colleagues.

The reasons for this are fairly straightforward- the absence of adequate communication, the difficulties of investigation and the fear of repercussions prevent the documentation of most instances. Many journalists, especially in the provinces, regard it as a way of life, concomitant with their profession. For the various vested interests which are challenged by the media, journalists are fair game in a context where institutional structures of protection are still in a nascent stage.

This occasional newsletter is a small step towards breaking that culture of acceptance, both within media and also those who perpetrate the violence. It will document all available information about incidents of harassment, violence and intimidation of media as and when they take place.

This is going to be difficult, both because of the limitation of resources and because of the sensitivity of the situation.

Most cases are underreported because the media is currently very uncomfortable with the idea of sharing any information in the public domain in case such reporting leads to further harassment. We are completely sympathetic to this apprehension and sensitive to the possible repercussions of insensitive reporting. Therefore while reporting on the incidents we would like to make sure that the journalist/media organization is completely comfortable about the idea. This will sometimes mean disguising or omitting specific details, omitting the names not only of the victims but also of those charged with the harassment. This may lead to some degree of imprecision initially but we hope that greater confidence and better protection mechanisms will gradually overcome any need for ambiguity. However as can be seen from the list of incidents we have in our first newsletter, there could be many ways to report on such incidents different from case to case.

We would encourage media organizations, media NGOs, individual journalists to share their experiences with us with the assurance that they have the final say on exactly what will go into print, a practice we have followed in each of the cases reported in this newsletter.

We also encourage non-media practitioners to share any information they have, as each case will be followed up and published only with the concurrence of the affected parties except where the information is well-established and in the public domain. (for eg an arrest, legal charge, etc.)

The four cases reported here are very different in tenor. While three of them involve incidents of intimidation by different authorities, they have all had different fallouts. While in the first case, in Herat, IMPACS entered into negotiations, in Qarabagh it was the local shoura which supported the Radio Station. In the case of Salaam Watandaar the authorities appear to have backed off after the firm stand taken by the broadcaster. The fourth incident, involving Killed, is an example of the continuous harassment and intimidation of the media. The fact that it is emanating from unknown sources for unspecified reasons makes it nonetheless effective, leaving journalists in a state of considerable unease and uncertainty about their work. We would like to thank all those who have shared information with us.

Local authorities try to exert control over IMPACSJ

radio station in Herat

According to the international NGO IMPACS, in May 2004, authorities in Herat interfered in the functioning of Radio Sahar, a women's independent community radio station in Herat, supported by IMPACS and Internews. IMPACS says:

"Various armed guards were placed in the station for five days, from Monday, June 7th until Friday, June 11th. When the IMPACS team entered the station on Tues, May 8th, and asked the armed guard to leave the station, he replied that he had been placed there by Herat Governor Ismael Khan to ensure the safety of the station and the equipment and was unable to leave without receiving permission from his superiors. The IMPACS team then negotiated with a variety of representatives from the police and local authorities in an attempt to resolve the situation and to ensure the armed guards would be removed.

It is noteworthy that when IMPACS Project Director Jane McElhone attempted to enter the station compound on Wed, June 9th (by placing one foot into the compound after the guard answered the door), the guard told her that if she took one more step, he would kill her. This threat was repeated several times. The guard was not carrying a gun but the IMPACS team could see his AK-47 lying behind him in the guards' hut.

Following this incident, the IMPACS team continued negotiating with all, concerned parties and were able to re-enter the compound on Friday, June 11th. At that point, they were successful in removing the final armed guard from the station. Since that date, IMPACS and Internews have been working in the station.

The IMPACS team met with Governor Ismael Khan on Wed, June 23rd in an attempt to resolve the situation. Although it is difficult to determine the exact motivation behind the authorities' actions, IMPACS believes that the authorities were attempting to exert control over the internal functioning of the station, including staffing issues, and to demonstrate their power. The efforts to exert control also included pressure and threats against one of the women journalists working at the station."

The right of investigation and sanctity of sources: Salaam Watandar

On Tuesday August 3, a journalist from Salaam Watandar, a radio programming arm of Internews, went to meet the head of the Press Centre in the Ministry of Information and Culture to follow-up a tip-off. Sources had told the journalist that there may have been an explosive device in the centre which was detonated by the security forces the previous day.

Within 90 minutes of the journalist's visit to the ministry, armed police had surrounded the Internews building where the Salaam Watandar office is located.

While twelve armed policemen waited outside, five policemen went to the Salaam Watandar office, one in uniform and four plainclothes men. While one was from the central police headquarters, two others were from the district police station and the remaining two from the criminal research unit of the police.

They asked for one particular journalist, who, they said they had been told, had the initial tip-off, claiming that the visit of the Salaam Watandar journalist had forced the police to go to the Ministry to carry out searches. The Managing Editor of Salaam Watandar, Mirwais Social, however insisted that as the head of the radio station he had the full responsibility and that they should talk to him. He refused to talk to them until they had brought a court official with them. Once they had brought a court official he agreed to talk to them in order to be helpful.

The police officials accompanied by the court official sought to know the source that had provided the tip-off to the journalist. They were repeatedly told that they had no right to ask for the name of the source as it was a journalist's professional right to keep this a secret. However the district police told Social that his refusal to provide the information was a sign of his own involvement in the incident. Social said that of those present only one policeman seemed to understand this concept of the journalist's right not to disclose his source and the questioning went on for two hours.

The next day two policemen from the district police came to the Salaam Watandar office and asked for a list of all staff members, claiming this was a security requirement. They were not provided with this information. "What is clear is we are not giving our names to anyone" Social said adding "if we feel pressurized we will go on air with the details."

High-handed authorities fail to pressurize radio station: Radio Qara Bagh

Broadcasting even a listener's letter can be a sticky business as Radio Qarabagh discovered in May this year. Kabul Mayor Rashid's long speech on the martyrs of the Jihad on the occasion of teacher's day led to a flurry of letters of complaint from students and teachers who felt the occasion was misused.

The letters were broadcast directly on the radio, resulting in a visit from the mayor who accused the radio station of being irresponsible. When told that the station was merely broadcasting the listener's complaints which were not of his making, the mayor demanded to see all such letters prior to every broadcast. The radio station refused to do this asserting its independence. The mayor took the issues before the local shoura and complained that the radio station, influenced by western values, especially the US, was broadcasting anti-government anti-mujahid ideas.

The radio station replied asking for any example where it had broadcast anything not in accordance with the tenets of the government policy, or against Islam or the culture and tradition of Afghanistan. The shoura rejected the mayor's contention and held that the radio station was in the right.

Anonymous threats: Killed Media Group

General unspecified threats are also a common occurrence in media organizations.

Through letters, phone calls and visits through intermediaries, journalists and their organizations are often warned by those who are hostile to a certain style of reporting or the contents of some reports. While these threats may not be linked to specific reports, they do act as a point of pressure on journalists.

The Killed Media Group, for example, recently received several warning letters stating that activities of Killed were being monitored. While the group has no idea about the source of the letters, these letters stated that some of the reporting done by Killed was not to the liking of these persons. Subsequently the warnings stopped of their own accord, leaving the group none the wiser about what was being objected to.

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Internews Newsletter on Freedom of Journalism in Afghanistan

Issue #2 - September 2004

In our continuing attempt to bring to light information about intimidation, harassment and violence against journalists in Afghanistan, here we document four instances which reflect different aspects of the problems faced by journalists in carrying out their professional engagements.

In the [first newsletter](#) of this series, we had drawn attention to the fact that journalists in this country work under extraordinarily difficult circumstances, most of which go unreported. The reasons for this underreporting are primarily two. One, most journalists have come to view intimidation as a professional hazard, one that cannot be challenged effectively. Two, most are wary of sharing information about these instances since this may jeopardize their safety even further in the absence of any protective mechanism.

Keeping this in mind, Internews has been careful to document incidents with sensitivity, working with the victims to arrive at a mutually acceptable narration of events that provides the basic information without compromising their safety. Though this results in the dilution of the impact of the reporting, we believe that security of journalists here is the most important consideration.

From the response we have had to the first newsletter, from local journalists as well as international observers, this seems an approach that has been widely welcomed. Journalists who have accessed the first newsletter have seen this as a valuable resource, and also as a common platform that they can use to be more widely informed about their colleagues in the profession. This is all the more important since journalists are still trying to set up a collective body that will represent their common interests.

Internews has seen a remarkable increase in the flow of information about such instances with journalists coming forward confidently to share their experiences. Many of those instances could not, unfortunately be shared in this newsletter either because of the lack of corroborative information, incomplete information and in some cases, reluctance of the victim to share this in the public domain. In cases where it was felt the safety of the journalist would be further compromised by this reporting, Internews has also taken the decision not to publicize the incident until a more secure environment is available for the journalist.

In our second newsletter we document instances that bring to light four very different kinds of intimidation and harassment that are preventing or obstructing journalists to function effectively. In Kandahar, a trainee journalist faced threats, physical intimidation and obstruction from residents. In Kabul, a well-known and well-connected senior journalist alleged that he was forced out of a job in a government publication. In Ghoriyan, the blatant misuse of a radio station in favor of a local warlord was, unfortunately not even viewed worthy of protest by the journalists in the radio station.

The fourth instance of obstruction that we document seeks to widen the ambit of the newsletter to report regularly on the issue of the rights and responsibilities of the media. Though the Media Law has ostensibly recognized the right to information, journalists continue to be denied basic access through subsequent orders passed by individual ministries.

The Media Code of Conduct formulated by the Media Commission has asserted the journalists' right to access to election-related information, but implementation of this principle remains to be seen.

This newsletter introduces the subject of the right to information and will continue to report on this aspect in subsequent issues.

Kandahar: Pitfalls of Reporting (IWPR)

In most parts of the world, reporting on the problems of people in remote areas is something that every journalist finds deeply satisfying, especially because the people being written about are happy to receive the dedicated attention; it's a win-win situation.

A young journalist of Kandahar however found himself detained for

A young journalist of Kandahar however found himself detained for trying to do this simple job. Sent out on assignment to Pashmool village, the village of the former Taliban Prime Minister Mullah Hassan, to survey people as part of a workshop being conducted by IWPR (Institute for War and Peace Reporting), this journalist was detained by the locals and accused of being a spy.

The survey included questions asking citizens whether they would vote, why or why not and what their most important problems were—for example, security, water, health care and education.

Apparently the locals were suspicious of anyone who would come to their village to ask questions and surmised that such activity could only be undertaken by an agent of some vested powers. Some members of the village, who are apparently hostile to the current regime in Kabul, accused this reporter of being an agent of the US as well as the Karzai government. Though he protested that he had gone to the village to document the problems of the people, focusing on the drought in the area and its affect on agriculture, he was detained by the villagers. It was only when one of his family members arrived and intervened that he was allowed to leave the area. Local villagers also warned him never to come back with such questions.

Kabul: Government Media Face Equal Pressure: Anis Daily Newspaper

Working for a government owned newspaper might seem like a good idea, free of the usual harassment that journalists of independent media outlets face. However, sometimes this apparently privileged position acts to the contrary, resulting in far greater pressure and demands on the employees of government-owned organizations.

In August, Mr. Ahmad Zia Siamak Heravi, the editor of the government-run daily, Anis, resigned citing extreme pressure on his professional independence. According to Heravi, his attempt to turn the newspaper into an independent professional media organization was considered unacceptable with constant efforts to undermine him.

Heravi resigned, but being well-connected, has secured a job as a media specialist in the office of Javed Ludin, spokesperson to President Karzai.

Such were the limitations imposed on him while working for Anis that Heravi has said he feels much freer in the media wing of the presidential secretariat.

Ghoriyan: Misuse of media platform

Journalists in Afghanistan who have been struggling for several decades against attempts to intimidate them have almost come to accept intimidation as part and parcel of their profession. This is so much the case that abuse of the media platform is often taken for granted, evoking little protest. This was exemplified by an incident recently in the Internews-supported radio station in Ghoriyan. In the last week of August, in the midst of the armed battle between the forces of former Herat Governor Ismael Khan and local commander Amanullah Khan, the Chairman of a regional RTA station chose to walk into the independent radio station to make his own speech on air. Accompanied by armed soldiers, the Chairman asked the people of the area to stand up against the forces of Amanullah Khan and support Ismael Khan in the “struggle for supremacy.”

Given the background of complete political control that existed under the Governorship of Khan, neither the radio station manager, nor any of the other employees chose to prevent or protest against this misuse of the independent platform. Nor did they choose to raise the issue in a subsequent protest.

Denial of the Right to Information

As the structures of state power get strengthened in Afghanistan, a concomitant spin-off has been the gradual but steady increase of restrictions on the right to information.

Anecdotal evidence suggests that several ministries have issued specific orders forbidding any of their employees or any person working in any of their departments from talking to the press. The only point of

legitimate interaction allowed is either with the official spokesperson or an interview authorized by the office of the Minister. Internews was able to collect anecdotal information about such orders from journalists reporting on the Ministries of Education, Interior, Agriculture and Health.

In the case of the Education Ministry, the order has been stretched to its utmost absurdity, with the ministry insisting that no journalist could speak even to school teachers, principals and students unless armed with a specific order from the ministry. The justifications for the protection apparently vary from case to case. In the case of the Health Ministry journalists are not allowed to speak to patients. At the Interior Ministry similar instructions have been issued to police stations (at least in Kabul). Crime reporters are not allowed to meet with and conduct interviews of local police involved in investigating or solving any crime that takes place. They are expected instead to approach the senior police commissioner.

Journalists therefore have to approach the given Ministry every time they may want to follow a story and explain the purpose of the interview sought. This automatically rules out the possibility of following up on stories that may be considered negative by the Ministry. With these restrictions, no journalist can hope to build up any sources or to investigate and report on any short-coming or wrongdoing in any part of these ministries.

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INTERNEWS



Journalism Freedom Report v.3

Media Watch

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Media Analyst

February 10, 2005

After a short interval Internews is resuming the publication of its newsletter on the freedom of journalism in Afghanistan. This newsletter seeks to document events of intimidation, harassment and physical violence against journalists in Afghanistan.

The newsletter will also document developments and circumstances that create or resolve difficulties faced by journalists in carrying out their professional duties.

As mentioned in previous newsletters, we are taking great care to ensure that documentation of events and incidents does not further jeopardize the safety of the media in Afghanistan or of individuals providing the information.

All Afghan journalists as well as all those interested in this subject are encouraged to share information on the basis of complete confidentiality.

In this newsletter we record a fairly common kind of harassment of Afghan journalists: local pressures of different kinds on media based in provinces and in rural areas which are encountered less frequently by their colleagues in Kabul or the larger cities. Sometimes, as in the case of the Internews radio station in Shinwar, the harassment has little to do with the cycle of news. However we document it because it is part of a pattern, detailing the very difficult circumstances under which Afghan journalists function, the absence of basic freedoms that journalists elsewhere take for granted, and a tribute to the journalists here who carry on nonetheless.

This third issue of the newsletter contains detailed research on the Supreme Court ban on cable TV in November and the fallout of that incident. Last week the Ministry of Information and Culture published a code of conduct for cable TV operators formulated by a commission set up by the government to review the cable TV ban.

Is the government trying to streamline the functioning of the media or is it using the vacuum in legislation to retreat from its oft-stated commitment to freedom of the media? We provide an initial account of what promises to be a lengthy process after talking with many of the major players.

The ban on cable TV had other fallouts. The Deputy Minister of Information and Culture, Abdul Hamid Mubarize resigned blaming increasing censorship. He blamed the Minister

Sayed Makhdum Raheen for his resignation. Internews spoke to both ministers and herein reports on the different points of view.

Not all news is bad news. The other two events documented in this newsletter are welcome signs indeed. One regards an effort to set up a journalists union that seems to be well on its way after many false starts. The second is a very welcome initiative from the Ministry of Health to provide journalists with greater access to information.

Shinwar: Journalists in Afghanistan are often called to fulfill duties not expected of the media in any other part of the world. For the employees of Radio Spin Ghar in the border district of Shinwar in the eastern province of Nangarhar, it was a call to supply free power to the border check post close to their station. Their failure to do so led to threats that their station could be blown apart by a bomb and journalists working at the station being accused of being members of Al Qaeda.

The trouble began soon after Internews set up a radio transmitter in Shinwar in August 2004, close to Afghanistan's border with Pakistan. Initially, Radio Spin Ghar only relayed the programs of *Salaam Watandar* to the area. A border post located nearby and manned by the Afghan border police requested the station to provide free power from the station's own small power generator. At that time the station's need for power was limited and it acceded to the request, providing power to the border post from time to time.

However as Spin Ghar developed into a full-fledged radio station producing its own programming, its need for power grew and it stopped supplying free power to the border post. The border post officials however claimed as a right what had been offered as a courtesy, and threatened the employees of the radio station. They asked the station employees to sign a letter that would state that the border post was not responsible for their security. They threatened the station saying it could come under attack at any time and be bombed.

In addition the police started harassing the journalists who work at the station, stopping them at the checkpoint, asking why they were traveling on the road and accusing them of being Al Qaeda members.

After the station manager complained, Internews approached the Interior Ministry under whose jurisdiction the border police work and complained on the station's behalf. The Interior Ministry was responsive and issued a letter in favor of the radio station. All involved are hopeful that the issue will be resolved.

Cable TV Ban: In November following what the government calls some complaints from religious leaders and some TV viewers about "inappropriate" and "un-Islamic" programs and movies being telecast on cable TV and by some independent TV stations, Hamid Karzai's government decided to impose a ban on all cable TV operations.

According to a representative of the Cable TV Operators Union, the ban was imposed on November 9 and remained in place for about a week, with the Interior Ministry issuing

orders to ensure that cable operators throughout the country complied with the order by suspending their operations.

The entire episode was accompanied by strong rhetoric from the Supreme Court and the Ministry of Information and Culture, both of which issued statements condemning the program content of Independent stations as well as cable TV channels, stating that what was being telecast was both un-Islamic and against the tradition of Afghanistan.

The ban was seen as a victory for the conservative section of the Supreme Court led by Chief Justice Fazl Hadi Shinwari. Shinwari, who had been rebuffed earlier in his attempts to censor content on TV (the government had ignored his earlier criticism of stations airing women singers performing on TV) found a receptive audience within the government this time. Minister for Information and Culture Makhdom Raheen, who was earlier perceived as a liberal, launched an offensive against the program content. Media reports said Raheen's turnaround was prompted by his desire to seek backing for his precarious cabinet berth by shoring up support from the conservative hard-liners. Raheen however argues that his only concern was for the possible corruption of youth exposed to undesirable programs. He denies that he was seeking the support of the conservative section saying that he does not need to since he is not a candidate for Parliament or for the president's post. Raheen says he was one of the persons who opposed the ban in the cabinet meeting and states that it was at his urging that the Commission to review the ban was set up. Raheen states that he threatened to resign if the ban was not lifted.

The Supreme Court picked out newly launched Tolo TV for special condemnation. Tolo at that time was a two-month-old TV station launched by Moby Capital, the company behind Arman FM, an extremely popular entertainment radio channel aimed at youth.

Tolo TV issued a statement condemning the ban, claiming "the media in Afghanistan has been set back by a few years". It described the move as the single biggest backward step Afghanistan had taken since the 2001 Bonn agreement.

Tolo said this action was a "flagrant abuse of the rights granted to all Afghans under the recently approved Constitution and a breach of the provisions of our media laws."

After the Cable TV Operator's Union approached the Information Ministry, the President's office set up a three member commission to review the ban. The members of this commission were the deputy spokesperson from the presidential office, Hamed Elmi, a justice of the Supreme Court, Maulawi Said Mustafa Barakzai and the head of Afghan films Engineer Latif Ahmed.

The Commission ruled that while the complete ban could be lifted, the cable operators would be allowed, initially, to telecast only a bouquet of 25 approved channels, half of the 50-odd channels that operators were telecasting earlier.

With the majority of viewers depending on cable TV rather than satellite dishes for their TV viewing, most had their access cut off. For newly independent channels like Tolo TV, this meant a virtual black out.

The Commission now allows 35 channels and is willing to consider more. It also formulated a charter for a code of conduct for cable TV operators which came into operation on January 12. This charter stipulates that the cable operators cannot telecast anything that is un-Islamic, immoral, or against the tradition of Afghanistan.

The Commission which formulated the charter will itself be the body for implementing it and has accorded to itself the authority to be the deciding authority.

While the principle may sound like a reasonable way to protect Afghanistan's identity, it is obvious that the process of defining what is Islamic and what is not, what is culturally acceptable and what is not, is open to interpretation and can change from time to time, depending on the personal preferences of the Commission members.

Hamed Elmi, deputy presidential spokesperson and member of the commission, says the code is necessary because the Constitution clearly states that Afghanistan is an Islamic country and Islam the religion of the people. Unsuitable material, adult material, and copyright violations cannot be permitted he says.

Engineer Latif Ahmed of Afghan Films, another member of the Commission says that channels which show programs against the culture of the country or Islam cannot be permitted. Maulawi Said Mustafa Barakzai, a justice of the Supreme Court and a member of the commission says programs that are not good for society should not be allowed. Barakzai also claims that as a member of the Commission he is qualified to decide what is suitable for the people of Afghanistan.

Since the ban, viewers have repeatedly been asking cable TV providers to restore the banned channels. The operators are due to meet with the Ministry of Information and Culture (at the time of writing) in a bid to secure permission for 80 channels. Amongst the channels that are banned currently are HBO, Star World, Hallmark, Persian Music Channel, Zee TV, Star Movies, B4U, and Khaibar TV. In addition, cable TV operators who were showing DVDs on their own private channels as part of the cable bouquet (channels where they could also advertise and earn some revenue), now have to submit each DVD or CD to Afghan Films for prior approval before screening. This of course makes it impossible for them to have independent, private channels of their own and has been a blow to their capacity for revenue generation. While Elmi suggested this was an attempt to ensure there are no copyright violations, it is apparent that this reasoning reveals, at the very least, the double standards of the government since copyright violations are taking place regularly with pirated DVDs sold openly on the streets of Afghanistan's villages and cities.

In other countries which seek to censor TV telecasts, banning is the exception rather than the rule. In Afghanistan, under the current practice, every channel is proscribed unless specifically allowed by the Commission. While in other countries it is up to the censoring authority to prove the grounds for the ban, here the onus of proving that any particular channel does not violate the cultural and religious norms lies with the cable TV operators, placing severe restrictions on what they can telecast.

Raheen defends this practice repeating arguments about the unhealthy exposure of youth to adult programming on TV, to the culture of Afghanistan, and by arguing that technical issues which he does not understand are the reason for the decision. Asked how the un-Islamic content in the media would be determined, Raheen dodged the question by stating “we have been Muslims for 1,400 years”.

This is a dangerous precedent for the freedom of media in Afghanistan. Encouraged by the lack of protest, the government may be persuaded by conservative elements to adopt this approach in its future dealings with all independent media. All programming may have to be submitted for pre-telecast/broadcast approval and permission secured by every radio, TV channel or print media outlet to air any program or publish any story.

Minister Resigns, Blames Censorship: In December 2004 Abdul Hamid Mubarize resigned from his position as Deputy Minister of Information and Culture. He went on record to criticize the Minister for Information and Culture, Sayed Makhdum Raheen for the latter’s press censorship.

Mubarize told Internews that there were several incidents where Raheen had stepped in to prevent the broadcast of material that was not favorable to the government. Raheen denies this vehemently, claiming that Mubarize raised the bogey of censorship only after learning that he was not going to get yet another extension in his job.

Mubarize however says that Raheen made peace with the conservative elements to bolster his political position, abandoning his earlier moderate position for a more hard-line stance in issues such as the content on TV channels.

Journalists’ Association: Establishing a journalist’ union has been a difficult task for Afghanistan’s media. Deeply divided during the years of civil war, Afghan journalists have found it difficult to overcome these divisions to come together. However the crying need for a united front to pursue their rights has led to the establishment of more than one organization.

An important step was taken in December 2004 when a workshop held in Kabul agreed to form an association in April 2005. Principles are being drafted and the association already has 400 journalists’, months before the April meeting which will formalize the structure and principles of the association. The International Federation of Journalists, based in Brussels, is providing backing and support for this venture.

Lifting of Ban by Health Ministry: There is some good news for journalists working with the Ministry of Health. The Ministry, which was one of the several ministries formerly requiring journalists to receive prior permission from the Ministry before talking to any patient, doctor or even the relative of a patient in any government hospital, has now lifted the ban altogether. Journalists, the Ministry announced in January, would be allowed into government hospitals. What is more, they will even be allowed into operation theatres after observing the necessary sanitization procedures.

One may recall that Internews had first reported about the Afghan government's practice of undermining its own declared commitment to the right to information. In its September newsletter on protection and intimidation of journalists in Afghanistan, Internews had pointed out that despite enshrining the right to information in the media law, the government was actually practicing the denial of very basic information. Several ministries have issued orders requiring journalists to take prior permission from the Minister before approaching any government school/police station/ hospital. This has been preventing journalists from fulfilling their professional requirements.

In January, the English language weekly *Kabul Weekly* carried an article on this issue, in which it quoted the Internews newsletter. The Health Ministry's decision to lift the curbs was announced soon after.

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INTERNEWS



Journalism Freedom Report v.4

Media Watch

Aunohita Mojumdar

Media Analyst

March 17, 2005

Pressure on independent as well as state-controlled media in Afghanistan has been increasing in recent months with frequent statements from different groups criticizing so-called ‘un-Islamic’ content, especially on TV channels. In the absence of specified guidelines on what is Islamic, various interest groups choose their own interpretation, urging repeatedly for a crackdown on specific media organizations.

Minister for Information and Culture, Sayed Makhdum Raheen, told *Media Watch* that he was facing a lot of pressure from different directions including from extremists who were going to mosques and berating him (Raheen) for not taking action against the visual media.

An indication of the pressure on independent media was evident this week when the national Ulema Council (council of religious scholars), headed by Supreme Court Chief Justice Fazl Hadi Shinwari, issued a statement which inter alia criticized all TV channels telecasting in Afghanistan, especially singling out Afghanistan’s own independent channels for censure.

Earlier in the month Raheen himself issued a statement calling on TV channels to observe the principles of Islam in their program content.

Independent TV channels Tolo TV and Afghan TV have protested, asserting that their programs are well within the parameters of Islam as well as the culture and traditions of Afghanistan. Earlier, independent TV channel Tolo TV also questioned the mandate of the commission which has been set up to monitor electronic media. The commission had criticized a music program on Tolo and demanded the removal of one of the anchors.

This newsletter also documents instances of intimidation of community radio stations in northern Afghanistan from Uzbek strongman Abdul Rasheed Dostum’s political wing, the Junbish-e Milli. Though the incidents are not recent, the continuing pattern of

intimidation following every repeat broadcast of a particular program mentioning Dostum makes it important.

This newsletter also takes note of a meeting of journalists of Balkh province, also in northern Afghanistan, who expressed their concerns about censorship. While no specific recent incidents of censorship were made public at this meeting, it was important in that it registered the common perception of a large number of local journalists. Earlier interactions of *Media Watch* with journalists in the province have shown that journalists are unwilling to go public with specific details of intimidation for fear of further retaliation.

The last instance does not fall into the pattern of censorship or intimidation being recorded by this newsletter but nonetheless is an important indicator of the state of Afghan media practitioners who continue to battle allegiances of many traditional media outlets to political factions. In Herat recently, political rivalries spilled out onto the media platform, an indicator of the continuing difficulties of establishing independent media in the country.

1. Pressure from Ulema Council:

The national Ulema Council, headed by Supreme Court Chief Justice Fazl Hadi Shinwari, issued a statement on March 13, one article of which criticized all TV channels telecasting in Afghanistan. The statement was issued after a council meeting reserved its most strident criticism for independent Afghan TV channels.

According to independent Afghan news agency Pajhwok, the Ulema Council asked the government to stop “immoral and un-Islamic” telecasts and called for a ban on music programs with dances, which, they said, was against the Sharia, or Islamic law.

Maulavi Qiam-ud-Din Kashaf, secretary of the council, was quoted by the news agency as saying, "We've decided this in accordance with the Constitution and also called for a ban on telecasts which have dances as this is absolutely contrary to the Sharia." Kashaf told the agency the Ulema had taken a stand and it was up to the government now whether to implement their request or not. When Pajhwok asked the Presidential press office in Kabul about the mullah's statement, it refused to comment.

The council, in its statement, also said: “It has been seen that all TV channels being telecast in the country, particularly Tolo and Afghan TV, broadcast music, naked dances and foreign films contrary to Islamic and national values.”

2. Tolo TV comment:

The commission set up to initially to review the ban on cable TV networks is steadily increasing the scope of its function, scrutinizing individual programs for content.

However, the very legality of the commission and its mandate has been challenged by an independent TV channel, Tolo TV.

After being summoned to the commission on February 16, independent TV channel Tolo TV made a written protest. In its statement, Tolo claims it had been summoned to appear before the commission on that date. Though the commission comprises of five members, only two were present at the meeting: former presidential spokesman, Hamed Elmi, and the head of Afghan films, Engineer Latif. Also present was a non-member.

According to Tolo, all three criticized the independent station's broadcasts, especially the Hop program, a music program, saying the language used on the channel was not appropriate as it was 'street talk'. They also questioned the presence of one of the main anchors of the program and said that he should be taken off the program. According to Tolo they also made disparaging remarks about some of the journalists employed by the TV channel, saying they were not respectable members of society since they had ignored the culture of the people. The three, including the two commission members, threatened that they would ask the Supreme Court to impose a ban on the channel if such programs continued.

In its statement, Tolo said it was operating within the legal framework in accordance with the Constitution and the media law and observing all social, moral and traditional values. The TV channel has challenged the legality of the commission's mandate, asking under which article of the Constitution and the media law it has been formed.

Asked about the incident, Minister for Information and Culture Sayed Makhdoom Raheen claims he was perturbed about the incident when he heard about it from Tolo and spoke to commission member Hamed Elmi about it. According to Raheen, Elmi's explanation was that the commission was having an informal 'chat' with the station. It had not put anything in writing and had only expressed an opinion the way anyone watching TV programs might do.

The commission's explanation is baffling. A formal body appointed by the President to review and assess TV programs with the mandate to ban any unsuitable programming can hardly take the position that its opinions, however expressed, constitute an informal chat. Any meeting of the commission summoning any media organization constitutes a formal process and cannot be disregarded by the organization. Nor can a media organization summoned and dressed down before the commission ignore these opinions expressed by the commission. It further begs the question as to why the commission, if it had no specific issue with the TV program it was criticizing, misused its authority for an 'informal chat'.

3. Raheen Statement:

Information and Culture Minister Sayed Makhdom Raheen says he is a man in a difficult position. He told *Media Watch* that he is under considerable pressure from different

interests, including extremists critical of the liberal programming being currently shown on TV. Raheen said he has been advising TV channels not to put him in a difficult position where it becomes impossible for him to defend them as he supports the work of independent TV stations.

The pressures on Raheen apparently led him to issue a suo moto statement on content in the audio-visual media last week. The Minister said, "All visual media are requested to pay attention to the values of Islam and take into account the traditions of the people. Raheen said to a Bakhtar news agency correspondent: "We are a nation with deep historical and cultural roots and foreign influence should not meddle with this. New generations should be brought up on solid Islamic and national culture.

He emphasized that visual media have a special responsibility in shaping future generations and that visual media should "carry out this task keeping in mind the fact that these generations have passed their childhood in war and disturbances."

The statement reflects a trend that is a departure from earlier statements and assertions in support of free and independent media.

(The Minister's office was unable to provide a copy of the statement but referred Internews to RTA. An RTA official read out this statement which was then translated by *Media Watch*.)

4. Satirical program on community radio stations:

Satire and humor is not something that all of Afghanistan's leaders appreciate. A program called *Huma-i-Saadat* was supplemented with a satirical article from the *Zanbil-i-Gham* magazine. Produced by *Salaam Watandar*, the independent broadcaster that provides live and recorded programming to community radio stations, the program got two of these radio stations into trouble.

During the elections, *Zanbil-i Gham* was producing a series of candidate profiles, mainly focusing on the social and political life of candidates but also including a satirical piece interspersed with jokes and humor. The program was broadcast every night during the election campaign.

The night on which a summary of all the satires were aired, Radio Takharistan in Takhar Province received a call from members of youth wing of the Junbish-e Milli party. The members called the radio station criticizing the program. The reason: the Junbish leader, General Abdul Rashid Dostum, was one of the 18 presidential candidates profiled in the satirical program.

Dostum, a former commander in the Northern provinces has subsequently been appointed as Chief of Staff to President Karzai.

The Junbish members claimed that “people” had wanted to destroy the radio station and that they had had to prevent them. “This should not happen again” they said referring to the satirical program that had just been broadcast.

After receiving the phone call the radio station got in touch with the Managing Editor of *Salaam Watandar*, Mirwais Social. Social wasted no time in acting on the complaint. He called up the youth union office which had threatened Radio Takhar and asked what the problem was. Social said that since it was *Salaam Watandar* which had prepared the program, the union should have complained to *Salaam Watandar* rather than the radio station. He asked the youth union leader to call back the radio station and tell them that their call was a mistake. Soon after, the radio station received a call and an apology. In this case, standing firm helped strengthen the radio station because of prompt backing from Kabul.

However, that was not the end of the problems concerning this particular program. The piece profiling the politicians was well-received and there were many calls for a repeat broadcast. Unaware of the problems in another province, another community radio station in the North broadcast this program several months later.

After the broadcast, 20 or 25 members of Junbish Youth “came into the radio station compound and wanted to destroy the antennae and the radio station” according to a journalist working at the station. They objected to the satire on Dostum and left only after the radio station called in the police for protection. The Information and Culture officer of the township also came to the radio station and escorted one of the journalists to the office of the Governor to speak about the incident.

Though the incident seems to have ended there, according to a journalist of the radio station, “the station feels there are limits to what can be broadcast regarding Dostum because the reaction is so volatile.”

5. Balkh Meeting:

A number of journalists in Mazar-e Sharif met in the office of the Mazar branch of the Afghan Independent Human Rights Commission early in February to discuss the issue of freedom of expression. The journalists expressed their frustration that journalists in the area still continue to face censorship and intimidation. Though individual journalists were not willing to go on record about the threats they receive when contacted by Internews, several of them spoke of a general atmosphere of intimidation, forcing them to exercise self-censorship. The government of Balkh Province subsequently issued a statement rejecting the remarks of the journalists, terming it untrue. The statement said the Balkh government once again voices support for the Human Rights Declaration and democracy and it expects all media to be more responsible and clear. The Balkh government, it said, was practicing democracy and freedom of expression for the press.

6. Herat:

Despite the increasing professionalism of the Afghan media, media organizations with linkages and loyalties to political factions continue to exist. In Herat, a political rivalry recently spilled into the print media. Factions loyal to current Governor Mohammed Khairkhwa and former Governor Ismael Khan crossed swords charging each other with maladministration. A newspaper loyal to Ismael Khan carried an article on the charges against the current governor, Khairkhwa, charges the Governor responded to in a public meeting. The newspaper later claimed that the provincial government had prevented publication of the article which finally had to be published from Kabul.

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INTERNEWS



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Journalism Freedom Report v.5 Media Watch

Aunohita Mojumdar
Media Analyst
May 4, 2005

Increasingly strident calls for a clampdown on behavior and practices that are being described as either “un-Islamic”, “against Afghanistan’s culture and traditions” or simply “immoral”, are providing increasing space for a renewed attack on independent media. This month saw the tussle between hardliners and audio-visual media intensifying with the Ulema Council reiterating its earlier call for a crackdown on independent audio-visual media on the grounds that it was un-Islamic.

Anonymous threats to media on grounds of ‘immoral programming’ were in evidence as well with a radio station being castigated for its musical programs. Interestingly, this radio station had also recently aired an expose on land grabbing activities in the area, leading journalists to believe that the charge of ‘immoral’ programming was merely providing a handy stick to those unable to counter the investigative reports.

Without any specific criticism or charge, media organizations are left shadow boxing with specters. Though no ‘action’ such as closure, has been taken against any media organization on grounds/accusations of un-Islamic content, the constant barrage of criticism leaves the independent media using its energies, resources as well as limited leverage to counter the charges rather than concentrate on producing more content. “We have not changed our stand but the pressure we face has made us modify our content from time to time,” a manager in a media organization said.

The technical requirements of electronic media are another reason forcing organizations to tread warily. Media organizations are well aware that while standing on their right to editorial freedom they can be denied requisite facilities and permissions on technical or bureaucratic grounds, especially since the practice often seems to be to ban first and ask later.

Even before the role and powers of the media monitoring commission set up to look at the content of the audio visual media could be clarified, the government set up yet another commission to monitor radio and television broadcasting.

Even political patronage appears to be insufficient protection at times for an increasingly critical media as AINA TV found when one of its reporters was beaten up recently despite the TV channel’s proximity to Northern warlord Abdul Rasheed Dostum.

In another development, the Taliban re-launched its Radio Sharia from a mobile radio station near Kandahar. The Taliban had banned independent media and all electronic media during their regime, broadcasting only on their own radio station Radio Sharia

Nascent efforts to redraft the media law began in late April, apparently initiated by the Ministry of Information and Culture.

Finally, some opportunities as well presented themselves for the local media. The International Federation of Journalists announced this year that its annual prize would be open to only South Asian journalists, giving regional journalists a greater chance.

1. Kabul: Ulema Council Criticizes Media:

In an apparent bid to maintain consistent pressure on independent Afghan TV channels, the Ulema Council which is headed by Supreme Court Chief Justice Fazl Hadi Shinwari issued another statement on the un-Islamic content of the channels asking the government to take action. Following a meeting of the council (April 21 to 27), which was largely focused on discussing the code of conduct for women, the secretary and acting head of the Council, Moulvi Qiam ud din Kashaf said the President's office has also ordered the Minister of Information and Culture to control the content of TV programs. The Council had passed a resolution on the subject of un-Islamic content in media last month as well.

When contacted, the President's office however denied that President Hamid Karzai had spoken to the MoIC in this regard or issued any such instructions. A spokesman said that the President was in favor of independent media and freedom of media. The only consideration was that the content on TV should not be against the Islamic culture. The President's office was at pains to emphasize that no action was being taken against any media organization in this regard.

In this instance the MoIC also appeared to rebut the opinions expressed by the Ulema Council. A news report by a local news agency said the head of the program department in the Ministry and Information and Culture (MOIC) had said the opinion of the council was theirs and that they (the MoIC) could not stop TV channels from working. He was quoted as saying that while some movies shown on TV might not be suitable for this country's culture, there was a commission which had been set up to monitor this. He also said that anyone with a complaint should provide specific details of what was considered objectionable.

The Ministry official's stand on this issue is a welcome development since the lack of specific criticism in the past has left TV channels battling against ambiguous criticism without any opportunity to counter or defend themselves on specifics.

2. Kabul: Government Sets Up Another Media Commission:

With the powers and duties of the commission to monitor electronic media under challenge, the government decided this month to use its authority under Sections 20 and 21 of the Media Law to establish a media commission.

This Commission will have the power to issue licenses and allocate frequencies to radio and TV stations and "issue guidance" to owners of electronic media and "monitor the observation of the provisions of the media law by the media." According to the Deputy Information Minister Syed Hussain Aga Fazil Sangcharaki, this Commission will be more powerful than the earlier one which will report to it.

3. Takhar, North Afghanistan: Radio Takharistan threatened again:

Radio Takharistan, a local community radio station in Takhar province in northern Afghanistan has received threats about the musical programs it has been broadcasting. A listener's choice program which plays Indian, Afghan and Western music on the basis of listener's requests has drawn ire with unknown callers warning the station of dire consequences if the program is not stopped. The radio station's manager, however, believes the threats have less to do with the musical program and more to do with the station's broadcasts of critical investigative reports. The radio had recently done reports on land-grabbing activities in the area.

The station had earlier been threatened by members of the youth wing of Junbish, the political party of General Abdul Rasheed Dostum for daring to air a satire on their leader.

4. Jawzjan, North Afghanistan: AINA TV Reporter Beaten:

A TV station which is considered to be close to the northern warlord, Abdul Rasheed Dostum, found itself at the receiving end of hostile behavior as well. An AINA TV reporter was beaten up by the mayor's men in Shibergan, the capital of Jowzjan province—the hometown of Dostum—after the station telecast a report on the poor performance of the municipality. While the mayor claimed the incident was a result of the personal animus between the reporters and the municipality, the local police chief claimed the TV station was being punished for exposing the municipality's performance.

5. Media Law Redrafting:

A move to revise the media law has been initiated at the behest of the Ministry of Information and Culture. While it is too early to provide any specific details on the nature of the exercise, *Media Watch* has learnt that civil society, media organizations, international media NGOs as well as representatives of the Ministry are to be involved in the exercise to study and redraft the media law.

6. Tolerance Prize for South Asian Journalists:

The International Federation of Journalists has announced the annual Journalism for Tolerance Prize, open this year only to journalists from South Asia. The prize is open to journalists from Afghanistan and the details from IFJ are attached below:

JOURNALISM AWARD PROMOTES TOLERANCE, HUMAN RIGHTS

http://www.ijnet.org/FE_Article/newsarticle.asp?UILang=1&CID=302531

South Asian journalists whose work has helped oppose racism and discrimination are eligible for an annual prize.

May 31 is the deadline to submit materials for the Journalism for Tolerance Prize, organized by the International Federation of Journalists (IFJ). The goal is to promote a deeper understanding of the importance of tolerance, especially when it comes to minorities and differences of culture, ethnicity and religion.

This year the prize is open only to journalists in the South Asian countries of Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. Entries may be in English, Bengali, Hindi, Nepali, Sinhala, Tamil or Urdu.

The competition is open to all kinds of media, including print, online, TV, radio and photography. The works should have been published or broadcast in 2004.

For more details, including rules and entry forms, visit [http://www.ifj-
asia.org/page/ifj_prizes.html](http://www.ifj-
asia.org/page/ifj_prizes.html) or contact Laxmi Murthy at ifjsouthasia@hotmail.com.

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Journalism Freedom Report v.6 Media Watch Afghanistan

Aunohita Mojumdar
Media Analyst
July 03, 2005

The month of May saw a particularly violent death of a former Tolo Television VJ, the young Shaima Rezayee. The death of the journalist (albeit she had left the TV station three months prior to her death) broke a long period when the country had experienced no journalist killings. Her colleague on the same music program, Shakeb Issar, has also been repeatedly attacked. Tolo itself, in the frontline of media attempts to push the boundaries of acceptable content, was criticized, its reporters threatened and the TV station in general maligned.

However, more positively, the pressures from the government on media organizations eased to an extent with the Ministry of Information and Culture seeking a more cooperative relationship with the media and media development organizations. The Ministry organized a seminar on media and elections where the Minister for Information and Culture, Sayed Makhdoom Raheen, said he would be happy to consider the reform of the media law. The watchdog body set up by the Ministry to monitor electronic media content, the Media Monitoring Commission, was brought under the newly set-up Media Commission and ceased to use arbitrary powers to summon and chastise media organizations.

Fallout of this is the apparent displeasure of the Ulema Council with the Afghan government. Critical of the government's unwillingness to respond to their repeated calls to reign in what they have termed "immoral content" on electronic media, the Ulema Council has decided it would set up its own TV station to impart Islamic values to the people.

Independent journalists are showing active initiative organizing themselves. Following months of legwork by a group of dedicated Kabul-based journalists, over 200 representatives from 15 provinces met in Kabul in June to elect office bearers to a new journalists association.

1. Shaima Rezayee: Victim of TV Profile or Gender Inequalities: Shaima Rezayee, who had worked as the young VJ of the popular music program 'Hop', on Tolo TV, Afghanistan's first independent TV station, was found dead in her home three months after she left the organization.

Rezayee was apparently killed from a close gun shot wound to her head in her own home on May 18.

While Journalist protection organizations criticized her death, terming it a blow for free and independent media in Afghanistan, Tolo TV said her death did not have anything to do with her status as a media employee.

The TV station said Rezayee had not only worked for a short period of 3 months in the TV station but that the death had taken place three months after she had left. There was no direct relation between her death and Tolo, the organization claimed, adding that Rezayee was fired for her inability to abide by the rules and regulations of the organization.

There have been suggestions that Rezayee's lifestyle was too modern and permissive for certain sections of Afghan society and may have led to her murder in retaliation by conservatives. Until now the Attorney General's office has not made public its findings and it is still not certain whether her death was a murder or suicide. Her two brothers, who were arrested earlier on the suspicions that her death was an honor killing, were released subsequently.

What lent a spine-chilling quality to the entire episode was the rumor of her death in early March weeks before her actual death. At that time the rumors suggested she had been murdered for her lifestyle. A few weeks later her death became a reality.

Whether her death was the result of her lifestyle or her public profile, it seems almost certain that both issues fed on each other, reinforcing the problems that many working women in Afghanistan face.

Tolo TV, whose directors and employees have been called in for questioning in connection with the case, said that while it was happy to cooperate with the ongoing investigation launched by the Attorney General's office, there was an element of harassment in the line of questioning. Tolo TV however also said that the AG had changed the investigating teams several times and that it was reserving its judgment on the outcome. A group of journalists from different media organizations have also come together to investigate the death.

2. *Tolo TV Continues to Face Pressures:* Tolo TV itself continued to face a variety of pressures in May and June. A program on a bi-weekly investigative show telecast in May caused the reporting staff to be repeatedly threatened. The program has focused on land grabbing by private individuals including members of the royal family. Following the investigations, reporters on the program—Daneshyar, Qiam and Nekzad—received telephonic threats from phone numbers which were traced as belonging to persons in the employ of the royal family. Investigations are ongoing.

3. *Shakeb Isar:* A young boy who shot to stardom as a VJ of the popular 'Hop' program on Tolo TV, found himself paying a steep price for his fame. While Tolo TV did commendable work, making Shakeb Isar a star, the rise of a Hazara (the ethnic community often considered to be at the bottom of the social ladder in Afghanistan) was disliked by some. Combined with the fact that the program itself was controversial, being considered too racy by conservative sections of Afghan society, Shakeb was repeatedly attacked and threatened.

Amongst the incidents documented, Shakeb was attacked while getting a haircut and protected his stomach with his hand. His hand was cut severely requiring over 12 stitches; Shakeb was kicked by local police on one instance and forced to sing for them on another occasion while travelling home (the police chief has changed since then, Tolo claims); his mother's car was vandalised; both Shakeb and Tolo received numerous threat letters; Shakeb was expelled from Kabul University; his car was forced off the road and crashed into a tree; groups of persons were found hunting for him in his car when he was not in it. This extensive series of incidents combined with the death of his colleague scared Shakeb into seeking refuge in the Tolo TV studio. After more than a month in hiding Shakeb was able to find an opportunity to leave the country for a safer place.

4. Ulema Council TV: Afghanistan 's Ulema Council (the central body of religious scholars) has proposed to establish a TV station. The Council which has been vocally critical of the content on electronic media, especially independent TV stations, claimed that the proposal had found favour with President Karzai who had promised his help.

The President's office said it had extended 'support' to the Ulema Council plans in keeping with its support to free media in Afghanistan . At the moment there was no specific plan to provide any other form of concrete support which might be considered at a later stage, a presidential spokesman clarified to *Media Watch* .

The Council said it had decided to set up its own TV station in view of the immoral and un-Islamic content on independent TV channels. Its own TV channel would guide people on the Islamic path, Council secretary Qiamuddin Kashaf told *Media Watch* .

Asked who was authorised to interpret what was Islamic or un-Islamic in the media, Kashaf said that the Holy Quran was not open to interpretation. He said the government authorities had failed to take action on the rulings made by the Council.

Asked why Ulema Council members did not take any action in their capacity as members of the Supreme Court of Afghanistan (Kashaf is a senior judge and the head of the Ulema Council Fazl Hadi Shinwari is the Chief Justice of the Supreme Court), Kashaf said any complaints on the content of media programs violating the Constitution had to be directed to the office of the Attorney General for action.

5. Media Commission: *Media Watch* earlier reported about the establishment of a Media Commission under articles 20 and 21 of the Media Law. This month *Media Watch* interviewed the members of the commission headed by Musa Marufi to determine its role and perceptions.

The mandate of the commission will be to issue licenses and allocate frequencies to radio and TV channels, provide professional guidance to political parties for using radio and TV for publicity, guidance to owners of electronic media outlets in consultation with media directors and civil society professionals, monitoring the observance of provisions of the media law and determining a broadcasting policy for state-run radio and television stations.

The commission members articulated that they see reform of the state-run Radio and Television Afghanistan (RTA) as their primary work. Chairman of the Media Commission, Musa Marufi, told *Media Watch* that the commission was established to administer and supervise the RTA and make it more responsive to new needs. As part of the democratization of Afghanistan , RTA will be for the people Afghanistan and not exclusively for the government, it will be a medium that will enable the government to explain its policies and also a medium available to the voices of the Afghan people, he said. The RTA would also have to become more competitive since it was facing new challenges from non-governmental media, Marufi opined.

The monitoring commission set up earlier will now report to this new commission. Senior figures in the Ministry of Information and Culture told *Media Watch* that there was some confusion over the powers and mandate of the monitoring commission previously established. Members of that commission had summoned representatives of electronic media to its office arbitrarily to criticise program content, a step that was outside its mandate.

The new commission headed by Marufi will now look into complaints against content of electronic media programs and advise the media organisations. It also has the authority to revoke the license of any media organisation that it feels is refusing to conform to the guidelines on programmatic content.

There are concerns however that the mandate of the commission may present a conflict of interest. The commission is expected to focus on making RTA competitive while also being the judge and jury on the program content of other channels in competition with RTA.

Incidentally, in addition to the Media Commission and the Media Monitoring Commission there is a third commission for media regulation. This commission is within the Ministry of Information and Culture and is headed by the Minister of Information and Culture.

6. Journalist Association Formed: Journalists in Afghanistan broke new ground with over 200 independent journalists meeting in Kabul to adopt a constitution and elect office bearers for the fledgling Afghan Independent Journalists Association (AIJA). Supported by the International Federation of Journalists (IFJ) the organisation is making an effort to organise the deeply divided journalist community in the country. Several such attempts in the past have had to be abandoned because of deep-seated political and ethnic divides and currently several journalist organisations are in existence.

At this two-day meeting (June 17-18), the journalists, who attended from 15 different provinces, elected office bearers. However, a measure of the continuing deep divides was evident from the fact that the meeting spent a considerable amount of time debating whether the term 'Afghan' was inclusive or exclusive. More important than the solution was the sentiment that it captured. The divisiveness was also evident also from the fact that several groups of journalists stayed away from participating. However the meeting was an important first step towards organizing the community and the association may be able to overcome differences under the guidance and aegis of the IFJ.

7. Aftab Editor Attacked in Canada : A journalist who had fled Afghanistan two years ago after his reporting for the *Aftab* newspaper earned him a death sentence for blasphemy was attacked in Canada . Recently, Saed Mir Hussain Mahdawi, the editor of the publication, began publishing the paper from Canada . However, a few weeks ago he was attacked after speaking at the Pen Association of Canada function on the impact of 9/11 on Afghanistan . Mr Mahdawi however said that he could not identify his attacker. The attack left a deep wound on his face, requiring five stitches.

8. Pajhwok Reporter Threatened: A Herat-based reporter of the Pajhwok Afghan News agency said he was threatened by local government officials while investigating the kidnapping of a local school girl. The reporter claimed that the deputy head of the antiterrorism wing of the security police of the province asked the reporter to be careful, as there was "pressure from Kabul ".

The authorities denied that there was any threat to the reporter but said he had been bothering them with demands for information.

The Committee for Protection of Afghan journalists however pointed out that demanding information was the journalists' right.

9. Gang leader Suspected of 2001 Killing of Four Journalists Arrested: In June, the suspected leader of the gang which killed four western journalists in late 2001 was arrested by the police following a shootout in Sarobi, 50 km east of Kabul. Media organizations including the RSF hailed the arrest and asked the Afghan government to bring the accused to trial.

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Pressure on journalists continues to grow

It appears that increasing attacks by the Taliban and deterioration of security in Kabul has led to greater pressure and restrictions on the media. An example of this was the incident involving two reporters of Radio Azadi and a photographer from AP who were detained by national security guards while reporting on the shooting down of a US military helicopter by the Taliban in the eastern region. The three media persons were detained for 9 days before being released without any charges.

Prosecutors for Appeal court announced last month that the murderer of Shaima Rezai (a former presenter of Tolo TV) had been identified. The accused has fled and the police are searching for him.

Many reporters have experienced that in remote areas the securities agencies do not know their own roles, responsibilities and authority. However even employees of the Presidential office of administrative affairs seem unaware of the rights of media.

The national security guards of the office of administrative affairs of the President manhandled a Pajhwok reporter on 5th of July. The reporter was briefly detained for about 20 minutes in the security room, and the pictures deleted from his camera. Another journalist (Kamran Mirhazar, chief editor of Chaie Dagh weekly) was beaten up and cross-questioned by security guards in Zanbaq intersection while taking photographs. Media Watch contacted the office of administrative affairs. Ghafoor Liwal, head of cultural affairs in the office of administrative affairs, condemned and denounced the attack, but the head of the office Farooq Wardak declined to respond and said he was not aware of the case.

Pressure on media, particularly on TV stations, is increasing leading to self-censorship by TV channels. Reacting to this the Afghan Independent Journalist Association invited all journalists to protest about the government's neglect of this issue.

Nai study: A new study by Nai shows that 54% of Afghan radio journalists have been intimidated for reporting on the presidential elections. In a critical time for nascent democracy in Afghanistan, journalists continue to face increasing harassment. The study showed that 70% of threats and harassment were from warlords and local government authorities, forcing journalists to exercise self-censorship.

1. Security organizations are getting impatient with media

The situation of journalists has changed within the last month with new pressures from security agencies in the provinces who are attempting to prevent journalists from reporting on some issues. In Kunar three newsmen, reporters Ruhullah Anwari and Shir Shah Hamdard from Radio Azadi and Dr. Shouab, an AP photographer, were arrested while reporting on the Taliban attack on the US military helicopter. The reporters were shifted to Kabul after three days of detention and were questioned by intelligence authorities. In protest the three went on a one-day hunger strike. They were detained for 9 days before being released.

Asadullah Wafa, the Governor of Kunar said in a radio interview that the security forces who had detained the newsmen were sent from Kabul. The journalists refused to talk to Media Watch citing organizational policies and saying they feared further harassment. Media Watch however managed to speak with Razaq Mamoon (Dari editor of Radio Azadi) who said “the detention of the journalists was unconstitutional, illegal and violated the journalists’ right to freedom of speech”. He said the security forces had been suspicious that the reporters may have been in possession of a video recording of the attack on the helicopter made by the Taliban. Mamoon however said that the newsmen did not possess the recording and this had been established after investigation by the security forces as well.

Mamoon said the reporters were kept in hot weather in a narrow room without food and said that it was “deplorable that the government did not apologize for detaining them without specific charges”. The National Security consultant Zalmai Rasool for the President has promised that the issue will be investigated, but there has been no information on this so far.

2. Murderer of Shaima Rezai identified

According to Pajhwok news agency, the Prosecutors for Appeal court announced after comprehensive investigation that Shaima Rezai’s murderer had been identified. According to the court, she had been shot by Shah Mahmood (a currency exchanger). Police have declared that the murderer has fled.

3. Pajhwok reporter manhandled by security guards

A reporter working for Pajhwok Afghan news agency was briefly detained and threatened by security guards of a government department while he was interviewing Sidiq Afghan, a renowned mathematician who had been on hunger strike in front of a government department to protest against the government refusal to publish his books.

Media Watch talked with the Pajhwok reporter Habiburrahman Ibrahimi who said that he was arrested by guards immediately after he took photographs of placards inscribed with slogans. He was detained in a room where he was asked how he had dared to come to the office.

Dr. Dadfar Spanta, advisor to President Hamid Karzai on political and foreign affairs, condemned the misbehavior of the security officials. 'Whoever attempts to prevent journalists from working in an independent manner is hurting democracy' said Dr Spanta.

4. Kamran Mir Hazaar, writer and chief editor of Chaie Dagh Weekly was beaten up by security guards

Kamran Mir Hazaar, poet and chief editor of Chaie Dagh weekly was arrested and beaten by security agents while taking photographs of a convoy of land cruisers which were driving on the wrong side of the road in Zanbaq intersection, one of the most crowded places in the city.

Mir Hazaar told Media Watch that the security guards posted there had threatened, insulted and beaten him up. They took Kamran inside the security room and questioned him for 40 minutes. The photographs he had taken earlier were deleted from his camera, and his ID card as well his mobile phone was confiscated.

According to Kamran the security guards who detained him, subsequently threatened him saying that if he complained they would hand him over to the US forces in Bagram. (Bagram is the military base of the Coalition Forces where arrested Al Qaeda and Taliban prisoners are kept and interrogated).

Mir Hazaar claimed that initially, when they thought he was a foreign journalist, the guards treated him well. As soon as they learnt of his identity however, they started misbehaving and passing personal remarks.

5. Minister of Information, Culture and Tourism sent out official letters for ensuring journalists' security

The Minister for Information, Culture and Tourism has sent out letters to the Governors and security commanders of provinces asking them to ensure journalist's safety. Pajhwok news agency has reported that Ahmad Zia Waziri, a member of the media commission on reformation of media law confirmed that journalists were facing pressures from security agencies.

Also according to AIJA some journalists have been threatened in Kabul, Herat, Jawzjan, Kunduz, Kunar and Takhar recently by security forces. Meanwhile Media Watch contacted Fazil Sangcharaki, the Deputy Minister for Information for a copy of the letters but was unable to obtain one.

6. Pro-government cleric wounded in Khost explosion

Daud Waqfi who runs a religious program on Khost Radio with the support of the provincial reconstruction team(PRT), the civilian construction team of the US-led Coalition Forces, was wounded in a bomb explosion at his doorstep.

Media Watch could not contact Daud Waqfi as he was under treatment at a nearby in health facility of the US-led coalition forces. However Zahir Hangaar, manager of Soli Paigham Radio quoted Daud Waqfi as saying that the explosion occurred in the morning when he opened the gate to go to his office. Taliban spokesman Mufti Latifullah Hakimi claimed responsibility for the attack on the pro-government cleric.

7. Pressure is increasing on Tolo TV

Increasing pressures on Media from different sections are apparent with Tolo TV facing criticism from other media including State-run media. The TV stations' decision to telecast remarks of the Taliban spokesperson Lutfullah Hakimi was criticized by the government newspaper Anis. Anis said the decision to telecast Lutfullah Hakimi's statement was tantamount to helping the Taliban.

Tolo also came in for criticism from the independent weekly Watandar which criticized Tolo for telecasting musical programs. The weekly said the musical programs being telecast by Tolo were against the culture of Afghanistan. After facing these criticisms Tolo has banned the appearance of its women presenters and has also censored telecasts with dancing.

Saad Mohseni, director of Tolo TV also confirmed that the murder of Shaima Rezai had an impact on female presenters. He said Tolo was under pressure because of its musical programs from conservatives and religious sections and that the government was pressurizing Tolo because it had telecast Lutfullah Hakimi's interview. According to the law on mass media we contacted Independent Media commission which is authorized for responding the complaints of visual and audio media.

Esmatullahi, a member of this commission based in RTA said they had so far not received any complain related to the issue.

8. Independent media commission

The Independent Media Commission has issued a code of conduct for cable network operators, independent TV stations and cinemas asking independent TV channels to telecast daily calls for prayer regularly. It has also said that women presenters should wear Islamic Hejab while presenting programs and that the sections of foreign movies which are found to be contrary to Islamic morality should be censored. The commission claimed that the code of conduct was based on suggestions from people and the discussions that the media commission had with independent TV stations, cable network operators and cinemas representatives.

However no specific norm and standard is mentioned in the code of conduct explaining what is Islamic and what is non-Islamic and neither is the decision making authority clear.

Sediq Ahamdzada of Tolo TV told Media Watch that Tolo did not recognize the code of conduct passed by the media commission, because the commission was not authorized to issue orders. He further said that since no one was invited from Tolo in the meeting at

which they passed this code of conduct, Tolo was not obliged to take it into consideration.

9. Media commission established in JEMB

The Joint Electoral Management Board (JEMB), an independent body set up for the conduct of Parliamentary and provincial council elections stated in a press release that a media commission had been established for the Wolesi Jirga and provincial elections consisting of five members. The national members are Huria Mosadeq- journalist and defender of human rights, Dad Mohammad Onabi- journalist and ex-president of RTA and Mohammad Aref Gharwal- journalist, writer and member of Academy of Science. John Matisonn (director of electoral media commission) and Baqer Moin (deputy director of the electoral media commission) are the international members.

This commission is responsible for monitoring coverage of the candidates' electoral campaigns by mass media, receiving complaints on unfair and unbalanced reporting, news coverage of the political campaigns and providing schemes for the funded electoral announcements as well as monitoring these to ensure equal access for all candidates.

10. Establishment of reforming commission on mass media law

The Ministry of Information and Culture has set up a commission to review the law on mass media. The mass media law was formulated in an emergency situation and the articles in it are general. In the absence of details different groups have been interpreting it in different ways.

10. A new independent TV channel established in Kabul

Aryana, a private TV network started telecasting from Kabul, becoming the fourth independent TV station to begin telecasting in Afghanistan. It has started its telecasts simultaneously in the cities of Mazar, Herat and Kandahar.

11. Country-wide Radio Manager Seminar held in Internews

A country wide local radio manager seminar was organized by Internews at the initiative of the electoral media commission with the financial support of the Asia Foundation, hosted by Nai- Internews Afghanistan.

This four-day seminar saw the participation of managers of 29 Internews-supported local radio stations. It discussed how to give equal rights for the Wolesi Jirga and provincial candidates and providing advertising space for candidates.

The participants also discussed about the challenges that exists for the practicing of freedom of speech and some other problems that independent media facing during their work.

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Journalism Freedom Report v.8 Media Watch Afghanistan

Azizullah Habibi
Media Law mentor
November 30, 2005

Within the last month, there has been ongoing threats of violence and intimidation of journalists in Afghanistan.

In October and November 2005 the Media Watch team received a range of reports of harassment, intimidation, detention, insults, physical abuse and kidnappings of journalists.

With the successful running of the first parliamentary elections since the Taliban, a step has been made towards the legitimacy of a democratic governance system, and there is great hope that the implementation of this legitimated organ will restore law and order to the broader community as well.

However the ongoing incidents of threats against the media are disconcerting:

- à Two reporters accompanying a female candidate of the Wolesi Jerga were kidnapped in Noorustan province, and managed to escape after a 6-day detention.
- à Two reporters from Awa/ Sadaaie Afghan (voice of Afghan news agency) were beaten up by security guards and detained for 8 hours.
- à Two reporters from Ayna TV were beaten up by security guards due to filming in Zanbaq intersection in the center of the capital.
- à While Massood Qiam, the well known Tolo TV journalist, was being prosecuted by the Media Commission for Investigating Media-Related Offenses (headed by the Minister of Information and Culture), the editor in chief of Huqoq-e-Zan (Women's rights) was sentenced to two years in prison. .
- à Bamyan independent radio station is also at risk; the station manager was warned by the head of the Bamyan Department for Information and Culture and asked by Bamyan state radio and television to change the name of the radio station.
- à Another report states that Maiwand, a reporter from De Sol-e-Paigham ("The message of peace", a local community radio in Khost province), was killed by a remotely detonated bomb explosion on a road, in the east of the province.

But despite all these problems, Media Watch have encouraging news to report - a copyright law was drafted and 40 ANA (Afghanistan National Army) officers have recently graduated from a media training. The training of these officers should improve reporting from the ministry of defense. It should also be mentioned that seminars on journalism and human rights were held in Bamyan and Herat provinces.

1. Sada-e-Afghan reporters beaten up by security guards

Two AWA-e-Afghan News Agency reporters, Salem Wahdat and Rohullah Jalali, "beaten up" by president Hamid Karzai security guards from the Afghanistan National Department of Security 10th Department. While covering International Literacy day, on September 8, 2005, attended by President Hamid Karzai, the reporters claim they were physically beaten and detained for 8 hours by the 10th Department guards .

"7 people beat me up", declared Jalali in an interview to Media Watch, "my face and head were injured and still hurt". Mohammad Salem Wahdat, also interviewed, said: "I showed them my ID card, but they were saying "you are an Al Qaeda member and you will take our pictures to Bin Laden"".

However, a representative of the 10th Department told Media Watch that the journalists were charged for illegally taking photos of prohibited places while not having been officially invited to cover the event. He refuted the accusations of physical violence against the two reporters on behalf of his colleagues, and added "If any of my colleagues misbehaved with the reporters, I apologize".

Rahimullah Samandar director of AIJA (Afghan Independent Journalists Association) also criticized the mishandling of these journalists by the security guards.

Saeed Easa Husaini Mirzae, president of Awa-Afghan News Agency, asked in an interview with mass media that the security of journalists be ensured and called for the prosecution of the 10th Department. He added that if the Ministry of Information and Culture could not stop the violence against journalists, he would address his concerns to the international community.

Said Aqha Hussain Fazil Sanchariki, deputy Minister of Information and Culture, declared in an exclusive interview with Media Watch that the Ministry does its best to facilitate the work of journalists. "We had a meeting with the Ministries of Interior and Defense, the National Department of Security and a representative of the Afghanistan Independent Journalists Association", he added. "In presence of the media representative, we asked these organs to inform their personnel about the rights of journalists". According to the deputy Minister, similar discussion will continue in the future as well.

2. Armed people kidnap reporters

While reporting on the campaign of Hawa Alam Noorestani (a Wolesi Jerga candidate in Nooristan province), Mohammad Taqi Siraj (editor in chief of the weekly magazine "Bamyan") and Baseer Seerat (from the Kabul Film Private production company), along with another accompanier, Ahmad Shah, were kidnapped in the Wai-Gal district of Nooristan province on September 14, 2005, by unidentified people.

The film crew was appointed by Kabul Film to make a documentary on the campaign of this female candidate. According to Mohammad Taqi Siraj, the 8 people crew (two

reporters, Hawa Alam Nooristani and her husband, the head of the Nooristan Department for Women's Affairs, a worker from the intelligence agency, a security guard and a fixer) had been campaigning in two villages of the Wai-Gal district and as they were moving towards the center of Wai-Gal district, half of the crew was distanced from the other half of the group, and attacked by six unidentified military men. As a result, the woman candidate was injured and the 3 other crew members traveling with her were kidnapped.

Following the kidnapping, Abdul Wakil Atak, the spokesman of the Nooristan governor, told the media that the kidnapping was carried out by enemies of the peace and stability of Afghanistan trying to hinder the processes of the parliamentary elections. "We will do our best to release the kidnapped safe and sound and will trial these criminals", he added.

The kidnapped journalists succeeded to escape after 6-days illegal detention.

Mohammad Taqi Saraj, editor in chief of "Bamyan", told Media Watch that during their detention, the kidnappers moved location every day and they were all made to walk early in the mornings from one place to another so the security agencies could not trace them. Their stay in cold cattle houses and abandoned farmhouses on the way damaged the health of the kidnap victims. At the time of the Media Watch interview, over two weeks after he escaped from his kidnappers, Mohammad Taqi Saraj was still unwell.

Media Watch could not contact the kidnappers to verify whether the reporters really were the targets of the kidnapping, or whether it was originally aiming at the candidate.

3. Two other reporters were physically abused in Kabul

On July 14, 2005 two of Ayna TV staffers, Parwaiz Shumal, reporter, and Bashir Asem, camera man, claim they were beaten in Kabul, at the Zanbaq intersection, by security guards custodian of this intersection, located close to a few important UN offices and to the president office.

According to Parwiaz Shamal, the guards started beating them while they were filming a woman in a critical state, on her way to a maternity hospital, and whose vehicle was not let through the road block set up for the passage of high ranking officials, despite her family apologies.

"We tried to show them our ID cards, but they did not pay attention to our ID cards and after beating us, they took us to the 2nd police station 500 meters further away where we were beaten up and released after approximately a 30 minutes detention" said Parwaiz Shamal. The reporters' shirts were lacerated and torn badly from the beating.

Beside UN offices and the president office, an American base is also located northeast of the intersection. A sign prohibiting pictures is also hung there.

Mohammad Alem Kohkan, director of Ayna TV in Kabul, followed up the case, and told Media Watch that Khalilullah Dastyar, the head of the 2nd police station, finally apologized for what the security under his command had done to these journalists.

It is notable that on the previous day, another reporter (Kamran Mir Hazaar, editor in chief of the Chaie Dagh weekly) was allegedly beaten by the security guards of the same police station. This event was covered in our Media Watch report 7.

4. Pressure imposed on 6:30 investigative reporter

Massood Qiam Tolo TV “6:30” investigative reporter was summoned by the Media Commission for Investigating Media-Related Offenses.

“6:30” is an investigative report focusing on current affairs issues. In one of their programs, commentators (one academic, one judge and one cleric) were invited to discuss the functioning of the Supreme Court and the Chief Justice’s recent judgments. In this program, Massood mentioned without quoting his source that “the amount of problems in the judicial system is higher than the registered complaints”. After the program was broadcast, the General Attorney Office, following the Supreme Court request, sent a letter to the Media Commission for Investigating Media-Related Offences accusing Tolo TV and particularly Massood Qiam of defamation against the Chief Justice.

Massood told Media Watch that he was summoned twice by the Media Commission for Investigating media-related Offenses which finally, sent a letter to the General Attorney office, declaring that Tolo TV had only aired the personal views expressed by the commentators and interviewees during the program, which is not a violation, and that they had not committed offences.

Rahimullah Samander, director of the Afghan Independent Journalists Association (AIJA) and a member of the commission, attended both meetings and told Media Watch that “Massood Qiam made judgments on his own and had crossed the line by drawing into question the legitimacy of the judgments of the judicial authorities. Samandar added “according to the principles of journalism, a journalist can’t include his personal view in a report, so we consider that he has committed an offense”. According to Samandar, the Media Commission for Investigating Media-Related Offences helped Massood because of his young age and lack of experience.

Said Aqha Hussain Sancharaki, deputy Minister of Information and Culture and member of the commission confirmed Samandar’s saying and added that the members of the Commission agreed that the Minister of Information and culture, who is also the head of the Media Commission for Investigating Media-Related Offences, should check the case and use his personal relationship with the judicial authorities and ask them to ignore the issue. We did so, he added, “in support of the newly born freedom of speech in the country.”

To confirm Sancharaki and Samandar’s saying, Media Watch also attempted to interview the Minister of Information and Culture who is also the head of the commission, but without success.

According to Sediq Ahmad Zada, a high ranking Tolo official, Tolo TV does not consider that Massood has violated the law, and insists that the 6:30 report will not change its manner of reporting.

5. Ali Mohaqiq Nasab sentenced two years imprisonment

Ali Muhaqiq Nasab chief editor of the Hoqoq-e-Zan (woman’s rights) magazine and a Wolesi Jerga candidate was accused of blasphemy following complaints of the religious adviser to president Hamid Karzai, Mohaiuddin Baluch, and Shia religious leaders. Ali Muhaqiq Nasab was sentenced to two years in jail by the provincial court of Kabul. Nasab rejects these allegations, claims that he hasn’t written anything against Islam, and

asks that his case be reviewed by the court (in the 7th issue of Huqoq-e-Zan magazine, in an article entitled “Woman and blasphemy”, he states that abandoning Islam is ill-gotten, but not consider a crime).

Siaed Aqha Hussain Sanchraki (a member of the Media Commission for Investigating Media Related Offenses and the Vice-Minister of Information and Culture) told Media Watch that the commission called earlier for Muhaqiq Nasab’s release and that AIJA (Afghanistan Independent Journalists Association) asked that this case be referred back to the commission, which has the sole authority to summon journalists and determine whether they have committed a media offense, under the current Media Law.

The case of Muhaqiq Nasab was highly criticized during a conference organised in the Kabul Press Center by Nasab’s supporters. Rahimullah Samandar, director of AIJA, presented a critique of the prosecutors’ argument on the first day of the trial at the Kabul provincial court, and pointed out some of the improper handlings of the prosecutors.

After a second trial, on October 18, 2005, Muhaqiq Nasab was brought to the Media Commission for Investigating Media-Related Offences. Nasab defended his writings and refuted the allegation of blasphemy. The Commission members studied the articles, agreed they were not blasphemous and declared that Nasab’s detention was illegal. Consequently, they requested the judicial authorities to forgive Nasab. Meanwhile, the commission removed him from his position in Hoqoq-e-Zan due to his lack of qualifications in the field of media.

Ansarullah Maulawi Zada, the head of provincial court, rejected the Afghan Media Commission request, arguing that if the articles were not blasphemous, the commission would not have removed Nasab from his position and that if Nasab was not guilty the Commission wouldn’t ask the authorities to forgive him.

Numerous writers, journalists, human rights and freedom of expression activists and organizations inside and outside Afghanistan have protested the unfair trials of Muhaqiq Nasab and consider the case an infringement of basic human rights and freedom of speech.

A group of Afghan writers based in Canada have asked the Afghan president Hamid Karzai, via an open letter, to give special attention to the deteriorating situation of freedom of speech in Afghanistan. These writers see Nasab case as politically motivated and asked the president to release Muhaqiq Nasab. The editor himself had earlier claimed the same thing and proposed that Iranian authorities were involved in his detention.

Radio Bamyán, a station established in 2003 by Internews, went off air for 5 days to show its support to Muhaqiq Nasab and asked for his immediate release.

It is however worth mentioning that the final decision does not lay in the hands of the provincial court, and Muhaqiq Nasab has practiced his right under Afghan law to ask for a revision of his case by the court.

6. A reporter of De Sol-e-Paigham Radio killed in a Bomb blast

A reporter of the De Sol-e-Paigham Radio (built by Internews in January 2005 in Khost province) was killed in a bomb blast while standing on a road in eastern Khost province as a remotely detonated bomb exploded near a military vehicle nearby. According to Zahir Shah Angar, manager of the station, the explosive device was put in a corn sack

beside a road in Haidar Khail district, just outside the provincial capital Khost. He added that the explosive device was targeting the military vehicle of General Khial Baz Shirzai, the ex-military general in charge of the 25 factions which have gone under the DDR process. It is believed that the journalist was not the target of the bombing. Three of Shirzai's guards were also injured and their vehicle was damaged as a result of the blast.

7. Limitation on Radio Bamyan

Radio Bamyan, a local independent station, established by Internews in the Bamyan province in 2003, airs local news as well as music and entertainment programs. According to station manager Ali Urfan, on the 17th of August 2005, he received an official letter from the head of Bamyan Radio and Television (part of RTA, the Afghan state radio and TV), newly appointed by the Ministry of Information and Culture, asking Radio Bamyan to show him its current license and stating that if it was out of date, the station had no right to operate. Another letter was sent to Radio Bamyan by the Bamyan Department for Information and Culture, asking the station to change its name so that the Bamyan province state-run radio station could use it.

Ehsani, head of the Department for Information and Culture in Bamyan province, was interviewed by Media Watch and confirmed that they had asked Radio Bamyan to change its name, but added that they had received an official letter from the National Independent Media Commission, asking them to oversee the operation license of Radio Bamyan. "We acted according to the commissions order", said Ehsani. He then explained that he believed that in Afghanistan, the state-run radio or TV stations operating in provinces should bear the name of the province; in other words, that the government should have exclusive rights over the use of the province name for local state media outlets.

Media Watch has heard from some community members in Bamyan that Radio Bamyan does not take into consideration the information or cultural needs of the Bamyan people. For example they claim a large number of the local population would like to hear Friday prayer broadcast, however despite their requests the station will not broadcast Friday prayers. The station argues that it is not appropriate for a local and independent broadcaster to schedule religious broadcasting relating to Ullama, and the daily prayer calls, but that it can broadcast these on an ad hoc basis.

Media Watch discussed the issue with the Deputy Minister for Information and Culture who said that no one has the right to impose programs on an independent radio station, and confirmed that the head of Bamyan RTA does not have the right and authority to make the station change its name.

Radio Bamyan's broadcasting license, issued by the Ministry of Information and Culture, is for the time being still valid.

8. The National Independent Commission for Radio and Television Broadcasting involves itself in copyright regulation

Saied Aqa Husain Sancharaki, deputy Minister of Information and Culture, announced that "Afghanistan will soon have a law on copyright".

On the 20th of August 2005, the Afghanistan National Independent Commission for Radio and Television broadcasting issued a statement "*regulation of copyright on*

material produced by RTA“ to all non-state radio and TV stations in Afghanistan requesting media organizations stop broadcasting material produced by RTA. The statement, codified in 3 chapters and 21 articles, includes a list of all movies, music, songs, stage dramas, documentaries, artistic, educational and political, cultural, social, entertainment and informative films that independent radio and TV stations should stop broadcasting without having paid RTA for the rights.

In this regulation, the rates for the right of airing material produced by RTA range from USD \$40 to USD\$500 per minute.

Discontent regarding this regulation has been expressed by audiovisual media representatives such as Mohammad Alem Kohkan, head of Ayna TV, and Siddique Ahmad Zada of Tolo TV. The main reason for their discontent is that prior to this regulation, Afghanistan had no regulatory framework for distribution and use of audiovisual material. Therefore all materials produced by RTA are being used by private companies and Kohkan and Zada do not believe the National Independent Commission for Radio and Television broadcasting has jurisdiction over broadcast rights of the RTA.

Further more, there is a notable lack of independent audio or video production companies in Afghanistan, therefore there is an “impoverished” audio visual media environment. Kohkan and Zada see the RTA playing a significant cultural role by filling this void and making their programs and Audio and Visual materials available to all Afghan media.

The application of a copyright law or regulation on RTA materiel would ultimately mean that the independent media shall be deprived of all the cultural and artistic Afghan programs produced until now. Last but not least, they argue that the rates established for the permission to broadcast such material are unaffordable to private media organizations in Afghanistan.

Mohammad Alem Kohkan and Siddique Ahmad Zada point out that while the government and the Ministry of Information and Culture advise Afghan media outlets to promote national culture and traditions, the enforcement of the new regulation may cause serious problems to the independent media willing to do so.

Sediq Ahmad Zada understands the concept of copyright and accepts the need for this legislation to protect the rights of artists and producers, but argues that as a compromise productions made prior to the regulation should not be governed by this new legislation.

Mossa Marofi, director of the Independent Media Commission, told Media Watch that the commission takes the enforcement of this regulation seriously. He rejected the arguments for free access to RTA materials by independent media organizations, but agreed that enforcement of a Copy Right Law will not be without problems for the independent media sector.

”We intend to enforce this copyright law and media and private companies should observe this law and get used to it”, he added.

Marofi confirmed that the regulation is not respected by the RTA as well, but as he said, the Media Commission is an independent organ and the future law will be enforced on RTA as well.

The Deputy Minister of Information and Culture, Fazil Sancharaki, said it is still unclear whether the law will include programs produced in the past or not, as the law drafting committee is still debating this issue.

9. 40 A first: Afghan National Army officers trained as press officers

According to Pajhwak news agency, for the first time ever, 40 Afghan National Army officers from army bases all over the country were trained as press officers.

The officers of the Ministry of Defense attended a 16-day training course conducted by American trainers at the Kabul Military Training Center from the 22nd to the 28th of August 2005.

The participants were trained on how to engage and communicate with Media organizations in and out of the country to improve the image of the Afghanistan Army in the Media.

As one of the trainers, Colonel Koehr, pointed out, “[I hope] after passing these training, officers will be able to take their responsibility truthfully for the strengthening of the Afghan Army in the country”.

10. CIJ and AIHRC training courses for journalists in Herat, Bamyan and Khost Provinces

According to Pajhwok News Agency, on the 13th of August, two-week workshops were held in Herat, Bamyan and Khost provinces with financial support from the Asia Foundation.

These workshops focused on fair and balanced coverage of parliamentary elections. 15 participants from the audio, visual and print media (government and non-government) attended these workshops in each province.

CIJ is an Afghan non-government organization that provides professional journalism training for Afghan media. Approximately 1000 journalists across the country have been trained on journalism principles since its establishment, 8 months ago.

The Afghanistan Independent Human Rights Commission western sub office also held a seminar on Human Rights and journalism, in Herat province. Thirty journalists from various media organizations, and students of journalism and literature faculties of the western zone (Herat, Badghis, Farah and Ghour provinces) attended this three-day seminar. The seminar focused on issues such as the relationship between journalism and human rights, fair and balanced reporting on Human Rights abuses, International Human Rights documents and regulations, and the difference between the Universal Declaration of Human Rights and the second chapter of the Constitution of Afghanistan.

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Journalism Freedom Report v.9 Media Watch Afghanistan

Azizullah Habibi

Media Law mentor

February 12, 2006

Despite promises from the government, security organs and authorities of the Ministry of Information, Culture and Tourism regarding the protection of journalists, little has been done to curb the alarming rates of intimidation, harassment and detention of practicing journalists across the country.

- Shir Mohammad Jahesh, a Pajhwok Afghan News reporter, has once again been threatened by the chief of Baghlan Province police department.
- Journalists faced several cases of unjustified intimidations and harassments on Parliament Inauguration Day from the Parliament security guards. Meanwhile, technical shortfalls in the press conference room located inside the Parliament caused problems for the journalists.
- Wahid Paikan, a reporter of Ariana TV, was threatened, beaten up and prevented from covering a street vendors' protest.
- There have been efforts to repeal the Journalism Faculty of Kabul University by turning it into a department of the Faculty of Literature.
- A reporter of Al-Jazeera TV and his crew were detained by the CFC-A in Kabul and their equipment was confiscated for a period of time.
- Afghan TV (a private TV station in Kabul) was fined 50,000 Afghani by a Media Commission for Investigating Media-Related Offenses for broadcasting so called "immoral footage".

Positive Developments:

- Ali Mohaqiq Nasab, editor in chief of the weekly "Hoqooqe Zan", earlier sentenced to two years of imprisonment, has been commuted to six months of imprisonment and was released on bail.
- *Nai* an Afghan media development organization continues to carry out short trainings for journalists. Its initial plan was to train over 800 journalists in different fields.

1. Pajhwok Afghan News reporter threatened in Baghlan province:

Shir Mohammad Jahesh, a reporter of Pajhwok Afghan News, was threatened and insulted by the Chief of Baghlan Police General Mir Alam, and was told that in the future, if his reporting does not follow the will of the authorities, he would be imprisoned.

According to Shir Mohammad Jahesh, “this happened after an explosion in the area of the Baghlan. I wanted to prepare a report on this event so I went to the police department, but they replied that nothing had happened in the area and that they were not informed about it. So I approached the PRT which is settled in the area, I received the information I needed from them and I added in my report that “the Baghlan police department was not aware of the event when this report was being prepared””. When the report went on air, the Chief of the Police ordered his subordinates to “bring the author of this report by force”.

When Media Watch contacted the Chief of Police, he rejected the reporter’s claims and described them as baseless. He said “we respect reporters and consider them as assistance in ensuring security we never misbehave with journalists.”

General Mir Allam said he considered the claim of the reporter to be propaganda, a rumor and described it as a provoking move from his regional rivals. But Danish Karohkail, director of Pajhwok Afghan News, confirmed that his reporter had been threatened twice by the Chief of the Baghlan Police. Karokhail added “when our reporter was threatened for the second time, we contacted the spokesperson of the Ministry of Interior and informed him about the issue, and he promised that this would not happen again in future”.

Media Watch contacted the office of the spokesperson of the Ministry of Interior to find out about their position regarding this issue, but no one was ready to answer our questions and Daad Mohammad Rasa, the media relations officer of the Ministry of Interior, said “Stanizai doesn’t have time to be interviewed”. We approached the Ministry several times but never succeeded to meet him even after 25 days.

Rahimullah Samandar, director of the Afghanistan Independent Journalists Association and a member of the Media Commission for Investigating Media-Related Offenses said “as soon as we came to know about the issue, we contacted the acting Minister of the Ministry of Interior, Eng. Zazar Ahmad Muqbel, and informed him about the incident. He called the Chief of Baghlan Police and solved the problem.”

According to some journalists in Baghlan province, these types of problems have been partly resolved and the situation has improved.

2. Inauguration day of the National Assembly, a problematic day for journalists:

On December 19, 2005, on the inauguration day of the Afghan National Assembly, numerous people and especially journalists faced problems. The Parliament is located in the 7th district, across from the Ministry of Commerce in Kart-e- Se, but security agencies had closed the main roads of Kabul city to vehicles and even local people were not allowed to walk from Dehmazang intersection through to the Parliament building. Reporters who had inauguration session entry cards were subject to the same restrictions. After all those troubles, when journalists managed to reach the Parliament compound,

they faced harsh treatment from the security guards. The way security guards behaved was filmed by Ayna TV reporters and broadcast.

The General Director of the Wolesi Jerga, Azizullah Ludin, told Media Watch that ensuring security for the National Assembly is the duty of the secretariat of the Wolesi Jerga, but the bad treatment journalists received happened outside the parliament building where the Ministry of Interior had assigned its staff.

But once again, when Media Watch tried to approach the spokesperson of the Ministry of Interior for explanation, we were told that he would not answer our questions.

In an interview with Media Watch, Rahimullah Samadar said: “journalists faced a lot of problems on the inauguration day of the National Assembly, they were beaten up, their personal vehicles were taken by the police and used without their permission and finally, they could not easily cover the event”. According to him, all journalists were kept in one room and supposed to be provided with live audio and video coverage of the session, but they could only see the ceremony with no sound. Samandar added that the authorities of the parliament secretariat “created problems for the journalists so that they would not have balanced access to information”. He said “on the inauguration day, journalists were not allowed to enter the inauguration hall and only three journalists were allowed to enter as representatives of mass media, while none of them could represent others. The place which given for the reporters was not suitable for them to cover the event easily.”

Azizullah Ludin, General Director of the Wolesi Jerga, confirmed these allegations and considers them minor stating “the equipment had been newly installed and we had no experience in using it, therefore there was no sound for a short period of time in the press center”. As to why the journalists were not allowed to enter to the session hall, he added “as much as it was feasible and possible, and as much as we realized that the journalists would not cause disturbance for the guests and elected candidates and disturb the order, we allowed the journalists to enter the hall group by group.”

On the same day of the National Assembly inauguration, December 19, 2005, Mohammad Saber Fahim, a reporter for Salam Watandar, was mishandled by the national police and not allowed to go to his office, 100 meters away. It is worth mentioning that Salam Watandar office is located 200 meters away from the parliament building. Again, on December 20, 2005, the same reporter of Salam Watandar, Saber Fahim, and his colleague Mirwais Jalalzai were insulted and mishandled by police officers 50 meters away from their office.

On December 21, 2005, as five staffers of Salam Watandar were travelling in Salam Watandar’s vehicle towards their office, in the area of Dehkepak, 11th district of Kabul city, they were stopped by the security guards of the personnel director of Kabul security police headquarter, General Habib Khan Kochi. The driver was insulted and beaten up, and they were all handed over to the 11th security police station. After a two hours detention, the journalists were released. When Media Watch asked the personnel director about the reason of this incident, he rejected the accusation of physical violence and added “we pressed the horn many times, but the driver paid no attention to it. Beside, the said vehicle had neither traffic documents nor a plate number, therefore, it’s our responsibility to stop these types of vehicles, so we did hand them over to the 11th security district of the Kabul.” However, the chief of the 11th security police station, Shah

Wali Tamana, said nothing about the traffic document and plate number to Media Watch. He said “as soon as we understood that they were reporters, we released them”.

Saeed Makhdom Raheen, the Minister of Information, Culture and Tourism and the head of the Media Commission for Investigating Media-Related Offenses, told Media Watch about the problems created by the security forces “I ask all security agencies to cooperate with the journalists in performing their duties and consider them as assistance for ensuring security in the country.”

3. Ariana TV reporters beaten up in Kabul:

An Ariana TV reporter, Wahid Paikan, and his cameraman, Hamed Saadaat, were insulted and beaten up by the 2nd police department of Kabul and the Ministry of Interior Quick Reaction Forces while they were covering the protests of the vendors in Foroshgha, Kabul city, and were forced to leave the area.

According to Wahid Paikan, “one of the officers who had a police uniform insulted us that is not suitable for a person holding that position”. Shekaib Hazrati, the General Director of Ariana TV, told Media Watch in an interview “as freedom of expression is a new phenomenon in Afghanistan, and considering the current situation we will consider that the problem faced by the reporters is not major and worrying”. Regarding Wahid Paikan and Hamed Saadaat, he added “as soon as we were informed about the issue, we approached the 2nd security police station, they expressed unawareness and added “if our officer might have done this mistake, we do apologize””.

When Media Watch contacted the 2nd security police station and division of the Quick Reaction Forces, they refused to be interviewed and said they did not have the authority to be interviewed, and asked us to contact the ministry of interior’s spokesperson. The spokesperson’s office, in turn, refused our request for an interview by saying they did not have time.

4. Efforts for the repealing of the Journalism Faculty:

On December 29, 2005, the Board of Directors of Kabul University decided to decrease the number of faculties from 13 to 8. Consequently, the issue of repealing the Journalism Faculty arose, and was discussed with the lecturers of the Faculty. The lecturers expressed their serious disagreement, but according to Aziz Ahmad Fanoos, Lecturer of the Journalism Faculty, the authorities of the university didn’t pay attention to their comments.

On December 29, 2005, the Board of Directors of the university affirmed that the faculties of fine arts and journalism should work under the supervision of the Literature and Language Faculty. At the same time, they agreed the number of journalism departments should be decreased as well. Media Watch approached the university chancellor’s office, however Prof. Abdul Zaher Stanizai, who was the signatory of the repealing paper, and Deputy to the Chancellor, would not comment on this issue.

After the repealing paper was received by the Journalism Faculty, 17 lecturers of the mentioned faculty condemned and denounced the decision of the university in an open letter to the chancellor’s office, and asked for the decision to be reviewed. Media Watch asked the Minister of Information, Culture and Tourism and the head of the Media Commission to provide his opinion “that is their own duty; I have no comment”, he said.

Rahimmullah Samandar, the director of AIJA, commented that this decision was a way to declare both journalism and journalists worthless, and said that on the contrary, the Journalism Faculty should be developed.

Finally, on 28 January, 2006, the Afghanistan National Assembly rejected the decision of the Kabul University authorities to merge some of the faculties with each other, and declared that the Parliament has the authority to take these types of decision.

5. Ali Mohaqiq Nasab sentenced to sixth month imprisonment:

Ali Mohaqiq Nasab, editor in chief of the weekly “Hoqoqe Zan”, earlier sentenced to two years of imprisonment, has been commuted to six months of imprisonment and was released on bail. Mohaqiq Nasab who was arrested on October 1st, 2005, was released after two months and 24 days in jail, but the remaining 3 months and 6 days is a suspended sentence pending good behaviour.

Mohaqiq Nasab was charged with blasphemy for publishing “blasphemous articles” in the 7th issue of Huqoq-e-Zan.

Abdul Alim Sharifi, the prosecuting attorney of Mohaqiq Nasab, mentioned in court that the Supreme Court decree center had issued a Fatwa on Nasab’s Blasphemy, and later added that if Nasab was not given a more severe punishment, there would be a national uproar?

Meanwhile, some religious Ulema working under the supervision of the National Ulema Council in some provinces like Kunduz, Paktia, Ningarhar, Qandahar, Khoost and Balkh, have protested and asked through open letters for harsh punishment for Mohaqiq Nasab. There were 12 allegations against Mohaqeq Nasab, including denial of the Prophet Mohammad's traditions, naming Allah as brutal, being blasphemous, and other similar instances. Nasab described the allegations as baseless and said he is a Muslim and follows all Islamic principles. He added that the “Woman and Blasphemy” article had a clear target, and that if this article or the other materials published in the 7th issue of Hoquq-e-Zan have been misunderstood and have hurt the Islamic religious feeling of the people, he apologizes. He additionally thanked the High Court headed by Muzafaruddin Tajali for his release.

The Minister of Information, Culture and Tourism appreciated Nasab’s release and confirmed that freedom of expression had thus been respected, but he informed media practitioners that they should not overstep the line.

6. Nai carries out professional training for over 800 journalists:

Nai, Supporting Afghanistan Open Media, has been operating for almost one year, supporting Afghan media, and providing training courses for journalists.

These programs are supported by Internews, with the financial support of the European Union and USAID. Within five months 648 journalists have been trained in: Windows XP, Cool Edit, MS Word, Basic Journalism, Advanced Journalism, Gender, Management, Business Development, Human Rights, Drug and Mental Health, Family Planning, Pashto Language, English Language and Radio Production.

Nai implements two types of training, theoretical and practical. Theoretical training is conducted in Nai training centre in Kabul, while practical trainings usually take place in over 31 radio stations operating all over Afghanistan.

These trainings will continue for at least another six months.

Nai delivers training directly to journalists and managers at media outlets as well as providing training for journalism faculties at universities across Afghanistan.

7. Al-Jazeera TV reporter arrested by CFC-A:

According to Mohamad Sediq, administrator of Al-Jazeera TV network in Kabul, one Al-Jazeera reporter (Waliullah Shaheen), his cameraman (Saeed Naser) and their driver (Mohammad Agha) were arrested by the CFC-A (Combined Forces Command-Afghanistan) in Wazir Mohammad Akbar Khan while filming in the vicinity of Camp Eggers in Kabul. They were interrogated in cold weather under snow falling for almost an hour, their equipment was confiscated and the individuals were then taken to the 10th department of police in Kabul.

The Media Relation officer of the CFC-A, Lt. Mike Cody, told Media Watch: “Combined Forces Command-Afghanistan personnel reported to the scene saw evidence that security features had been filmed. As a result of the incident, CFC-A withdrew the credentials of the reporters involved.”

Ground rules for credentialed reporters specify that photography showing levels of security at military installations may not be published. Likewise, signs at the gate nearest to the incident warn, in three languages (English, Dari and Pashto) that photography is not allowed. He rejected the allegation of the Al-Jazeera TV production crew who said they were investigated in cold weather under snow falling for a long time. Mohammad Sediq denied having filmed prohibited areas and he added: “our reporters were 50 meters away from the signs saying “photography is not allowed””.

The 10th department of police released Waliullah Shaheen and his colleagues after four hours detention.

It is worth mentioning that their equipment was returned to them after one week, and their credentials (identification documents) have still not been returned to them.

8. Afghan TV fined 50,000 Afg:

The Media Commission for Investigating Media Related Offenses, in a meeting held on the 19 January, 2006, fined Afghan TV 50,000 Afghanis for broadcasting immoral footage.

The Minister of Information Culture and Tourism, in an interview with Media Watch, said: “we had informed the TV stations they should not broadcast programs contrary to traditions, customs and social morality. But Afghan TV paid no attention to our warnings so we fined them”. The Minister did not clarify which programs had immoral footage.

Ahmad Shah Afghanzai, director of Afghan TV, did not accept the decision of the Commission as he argued that their enquiry was politically motivated. He added that this decision was made in his absence and that the Commission had not alerted them previously. ‘Nothing immoral has been broadcast via Afghan TV and the music which is

being broadcast by Afghan TV is similar to what other TV stations in Afghanistan broadcast”, he said. “Whatever we air, other TV stations also air, in this case, all TV station should be fined. Afghan TV has critical programs and reveals matters to Kabul citizens which the Minister of Information, Culture and Tourism and his team are not happy with”, he added. “They made this decision to impose pressure on Afghan TV. What is “contrary to social morality” and what is not, is not being defined and explained to us”.

Afghan TV refused to pay the fine and complained to the General Attorneys Office. Meanwhile, the Media Commission has also approached the General Attorneys Office to collect the payment of the fine. Finally the General Attorneys Office has announced that it agreed with the Commissions decision and asked an authorized court to punish Afghan TV. Media Watch notes that on the day of publishing this edition of the Journalism Freedom Report Afghan TV had still not paid the fine.

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Journalism Freedom Report v.10 Media Watch Afghanistan

Azizullah Habibi

Media Law Mentor

March 27, 2006

Intimidation and harassment against media outlets and media practitioners continues unabated. These include beatings, insults, harassment, fines, intimidation, detention of journalists and lawsuits against media outlets.

- Afghan TV was fined 70,000 Afghani (Afs) for airing “X-rated” programs by the Public Security Court of Kabul.
- Khalil Roman, a consultant to the director of the President’s Office and a journalist for Tolo TV, resigned from his job as a consultant citing obstacles hindering him from carrying out his work.
- The chief editor of Narenj magazine was detained by U.S. forces for 23 days without being charged.
- A suspected mine explosion destroyed the Radio Television Afghanistan antenna in Khogyanaï district of Ningrahar province.
- During a riot in Herat journalists were beaten, threatened and harassed.
- A Radio Sulh (Radio Peace) journalist in Jabul Saraj, Parwan province, was detained.
- The number of audio-visual media is increasing, and their coverage area is extending across Afghanistan.

1. Fines of Afghan TV increased from 50,000 to 70,000 Afs:

A private Kabul-based television channel, Afghan TV - which previously was fined 50,000 Afs by the Media Commission for Investigating Media-Related Offences (MCIMO) for airing “X-rated” programs - has been referred to the Attorney-General’s Office and then to the Public Security Court of Kabul. The station director refused to pay the fine.

During a court session on February 27, 2006, Ahmad Shah Afghanzai, head of Afghan TV, denied the charges, saying “our programs are consistent with the standards of programs presented by other TV channels and what we broadcast is aired by them as well”. He added that Afghan law has never distinguished or identified what is X-rated or immoral and what is morally acceptable. Afghanzai accused the

MCIMO of breaching existing laws, and said that according to Article 122 of the Afghan Constitution, only the judiciary can issue punishments, while the MCIMO, which fined Afghan TV, possessed no such authority.

Afghanzai's claim was corroborated by the relevant criminal affairs authorities. Afghanzai also said he considered the prosecutor, Asadullah, as biased. He also criticized the number of prosecutors as there were two prosecutors present in court instead of the usual one. In his defense statement, Afghanzai said he considered the commission's actions to be politically motivated, suggesting that the decision was made to secure "favour with the Minister of Information and Culture and Tourism [who also heads the MCIMO]."

However, the fine was increased from 50,000 to 70,000 Afs. Afghanzai refused to accept the order of the Public Security Court of Kabul, stating it condoned the "inaccurate judgement" of the MCIMO. He requested the Court of Appeals to review the decision.

2. Khalil Roman, consultant to director of the President's Office, resigned from his position due to obstacles he believes were created to prevent him from carrying out his duties:

In addition to his job as a consultant to the President's Office, Khalil Roman is presenter of a Tolo TV program, and his articles are published on internet sites and in daily newspapers and magazines. According to Roman, his opinions and criticisms and his job as a Tolo TV host resulted in those in the presidential circles conspiring to remove him from his position. Roman said, "One day when I wanted to go to work in Gulkhana Palace in my car, my access card was taken by palace security guards at the gate. After many days, I got back my card, but a few days later, the security guards did not allow me to enter the palace and they kept me waiting for hours in the cold weather. Consequently, my patience was over and I returned home and resigned."

Media Watch interviewed Javed Ludin who was the direct supervisor of Roman at the President's office and he confirmed Roman's account. He expressed his displeasure about Roman's resignation and confirmed that there was a problem which prompted Roman to resign, but he said it was not serious enough to make Roman leave his job. He added, "Maybe Roman preferred to work for a media outlet than for the President's Office. I respect his decision and we accepted his resignation."

Media Watch contacted security guards at the President's office, but they refused to comment on the case.

3. Editor-in-chief of Narenj Magazine detained for 23 days:

Saied Ahmad Qanei was released this month after 23 days in detention at Coalition Forces prisons in Bagram and Kandahar. Saied Ahmad Qanei said, "Four neighbours and I were arrested on January 9, which was the second day of Eid, by American forces. They confiscated my computer as well as my mobile phone. I was released on February 1, but my neighbors are still in detention."

According to Qanei, he was interrogated by American soldiers 15 times during his 23-day detention without specific allegations. He added "according to Article 25 of the Afghanistan Police Law, the security forces can detain suspects for only 72 hours for

investigation. I don't know according to which law I was detained for 23 days, and finally, without telling me the reason, they released me. They warned me to not tell anyone about their behavior."

Interior Ministry spokesperson, Mohammad Yousuf Stanizai said according to Afghanistan Police Law, security forces don't have the authority to detain suspects for more than 72 hours.

Mike Cody, a coalition media relations officer, said Afghan and U.S. forces searched a compound in Kandahar suspected of housing people making improvised explosive devices (IEDs). During the compound search, they found possible IED components and other materials that "warranted further investigation."

"They held five people, including the young man you mentioned, for interviews regarding the IED components that were found. Following the interview process, the young man who had associations with these other suspects (Saied Ahmad Qanei), was found to be innocent and released," said Cody.

But Qanei rejects the allegations regarding the IEDs saying that this detention took place based on malicious misinformation given to the American forces by local and regional enemies of his. According to Qanei, the four other suspects are also innocent.

Saied Ahmad Qanei told Media Watch "this arrest has seriously affected my prestige. When I was released from detention I asked for the restitution of my prestige, but they refused to give me any documentation and redress the punishment."

4. RTA's antenna destroyed in Khogyania district of Nangarhar:

The RTA broadcast antenna in Khogyani district of Nangarhar province was allegedly destroyed by an explosion. According to Nangarhar TV Director Engineer Zalmai, an explosion on February 7 completely destroyed the newly-installed generator and antenna.

Nangarhar TV broadcasts 8 hours a day via satellite and covers seven districts of the province. The antenna was built by an Indian company at a cost of 35,000 USD, but it had not been activated yet. The government footed the bill.

However the Minister of Information, Culture and Tourism, Saied Makhdom Raheen, told Media Watch that the antenna was not destroyed by an explosive device. According to Raheen, the antenna fell without any outside interference.

Security officials in Kabul told Media Watch they were unaware of the case.

5. Beating, insults and harassment of journalists in Herat:

During a riot which took place between Shiite and Sunni groups on the 9th of February in Herat province residents were attacked and killed. Many reporters were beaten up, insulted and had their lives threatened.

Mohammad Reza Shir Mohammadi, a reporter for Tolo TV, said he was beaten up by a police officer in Herat province.

According to Tolo TV Director Saad Mohseni, Mohammedi was forced to report in favour of one group and his life was threatened.

But Interior Ministry spokesperson, Mohammad Yousuf Stanizai, rejected Mohammad Reza Shir Mohammadi's allegations, saying he had not been assaulted by anyone.

Ehsan Sarwaryar, a Pajhwok Afghan News reporter, claims that he was beaten up by a high-ranking Herat police official after taking pictures showing the behavior of the police with the protesters. He also said his car was shot at four times by gunmen wearing police uniforms, but that he survived. Currently he is living in Kabul to avoid any further attempts on his life, he said.

When Media Watch asked the Interior Ministry spokesperson, Mohammad Yousuf Stanizai about the case, he replied "Ehsan Sarwaryar is a dishonest person."

"We have had repeated complaints from people, and have filed and completed the documents about him and sent them to the judicial authorities. He was neither beaten up by anyone nor has there been any attempt on his life," Stanizai added.

Sarwaryar said he's surprised by Stanizai's reaction. "I came under attack within 50 meters of the Herat security police department and this issue was also confirmed by the chief of the Herat police department in a press conference which he had. The criminal-technical department of the anti-crime branch of Herat police also confirmed that four bullets were fired at my vehicle, but I don't know how the Interior Ministry spokesperson calls this inaccurate."

Massood Hassan Zada, the Dari section reporter of Radio Ashna was also threatened during the Herat riot.

Sharafuddin Stanakzai, a reporter for the Pashto service of Radio Azadi, was beaten up by security officials and his vehicle damaged by protestors.

In addition, similar incidents were reported to Media Watch. But when Media Watch contacted the sources they denied the incidents or said it was not important enough to report and that they didn't want to comment.

6. Radio Sulh's Jabul Saraj reporter arrested in Kabul:

Abdul Qudoos a reporter for Radio Sulh (Radio Peace) in the Jabulsaraj district of Parwan province was arrested in the third district of Kabul by officials of the Parwan security department. They said it was related to an attempted murder.

This arrest took place when Abdul Qudoos came to Nai media organisation in Kabul for training. The Parwan police officers intended to arrest Abdul Qudoos, without letting the 3rd Kabul district police know. But according to Article 6 and 7 of the Afghanistan Police Law, one region's police cannot arrest suspects outside his specified region of responsibility, except in special cases. In this case there were no special conditions. When Media Watch explained the law to the Parwan police officers in question, they warned the Media Watch researcher that if he obstructs them from their mission, he will also be detained.

Nai Executive Director Abdul Mujeeb Khalwatgar commented to Media Watch "when the anti-crime branch of the Parwan province police asked us to hand over the suspect, we contacted the spokesperson of the Interior Ministry, Mohammad Yousuf

Stanizai and the secretary of the ministry. The secretary quoted the deputy director of security saying that Abdul Qudoos must be handed over to the police officers”.

The chief of Parwan’s security department Mulana Abdul Rahaman Saied Khaili told Media Watch Qudoos was a suspect in an assassination attempt on a female parliamentarian, Samia Sadat. He said Sadat was fine but her driver was injured. Stanizai told Media Watch that Kabul’s third district police station had to be informed before the arrest took place.

Qudoos is currently detained and has been questioned by the security department of the attorney’s office in Parwan province. Media Watch is monitoring the case closely.

7. Radio Nawa and Shamshad TV start broadcasting:

The past month has seen the establishment and development of both radio and TV.

The private radio station Nawa, owned by Sabah Publishing, launched its programs in Kabul city on 103.1 FM and in four other provinces on February 15, 2006. This radio had test broadcasts for the last four months. According to Radio Nawa Director Mohammad Waqfi, their radio covers Afghanistan’s five main cities: Kabul, Kandahar, Herat, Balkh and Nangarhar. He said that Nawa plans to extend its coverage to other cities in the near future. Sabah Publishing will also establish a TV channel by the name of Bakhtar soon. According to Waqfi, Nawa is a cultural and social station with the main aim of developing Afghanistan’s culture and the growth of goodwill between Afghan groups.

Radio Nawa was established by donations from the European Union and Dutch funders.

Shamshad private TV has also launched test broadcasts in Kabul city. Fazel Karim Fazel, director of Shamshad TV said, “I have established this TV with my own investment and initiative. My target is to serve the people and remove the distance between people of the urban areas and villages by sharing issues with them. Our pivotal theme is developing civil society, increasing people’s awareness, Islamic education, human rights education, explaining marriage issues, and we will also have entertainment programs.” He added that they will also extend their coverage area to other provinces.

Additionally, Radio Arman and Tolo TV have extended their coverage to Ghazni and Helmand provinces recently. Previously, these two media outlets covered Nangarhar, Balkh, Herat, Qandahar, Kunar and Kabul city. According to Radio Arman and Tolo TV Director Saad Mohseni they plan to reach Zabul and Kunduz provinces in the near future.

Nai media organisation signed a six-month cooperative contract with Radio Sada-e-Haqiqat. Radio Sada-e-Haqiqat was launched with the support of Internews December 31, 2005 in Aibak, the capital of Samangan province. Radio Sada-e-Haqiqat broadcasts on 98 FM.

According to Nai Radio Senior Support Officer Mir Abdul Wahed Hashimi, this agreement includes technical and financial support, as well as training for capacity building. Nai Executive Director Abdul Mujeeb Khalwatgar said “during the next six months Nai will be paying the salaries of a number of radio staff in addition to

providing technical support. We will also provide them training in Nai's main office and will also send our trainers to the radio station for in-house training. Khalwatgar added that Nai will also try to support Radio Sada-e-Haqiqat in the field of business development to make it sustainable when the contract with Nai ends.

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Journalism Freedom Report v.11

Media Watch Afghanistan

March & April 2006

Azizullah Habibi
Media Law mentor
May 24, 2006

In newly developing societies where tolerance is a luxury and people do not listen to each others' voices, freedom of expression faces challenges. In this environment it is common for figures of power and authority to be in conflict with the media - a traditional means for sharing information with the community.

In this current political environment Media Watch continues to receive news of conflict and intolerance:

- Baluchestan residents allege three Afghan television channels were banned in Baluchestan province, by the authorities of the state of Baluchestan, Pakistan.
- Gul-e-Narenj poetry festival in Ningarhar province disrupted by a governmental official preventing a poet to read his poem until the end.
- Radio Sada-e-Haqiqat (Samangan) in trouble with governmental authority.
- Watandar weekly newspaper banned after a conflict with Mohammad Younis Qaanooni, chairman of the National Assembly.

At the same time Media Watch is pleased to report some positive changes in the media sector:

- The third Mass Media Law of Afghanistan was gazetted and publicly released.
- The Independent High Commission of Information and Communication for Afghanistan met at the UNESCO in Paris, France, to work on a long-term development strategy for Afghanistan Media.
- *The Peoples' Independent*, Khost province first daily newspaper, was established by a local businessman and a team of journalists.

1. Three Afghan Television Channels Banned in Baluchestan, Pakistan:

On March 16, 2006, the state-run Baluchestan Electronic Media Regulatory Authority (BEMRA) ordered that cable networks impose a ban on three Afghan channels (RTA, Tolo TV and Ariana TV). According to the Pakistani authorities, this ban was imposed because the channels were broadcasting anti-Pakistani propaganda. Jalal Kakar, an official of the (BEMRA), told the BBC in an interview: “these channels are constantly broadcasting anti-Pakistani propaganda. Even ordinary people living here will tell you that these channels are broadcasting anti-Pakistan propaganda.”

Saad Mohseni, the Director of Tolo TV (one of the channels banned in Baluchestan) said in a press release “We are alarmed at news that TOLO has been banned in Baluchestan (Pakistan) as our station is very popular in that province as well as in the NWFP, Punjab Sindh and other parts of Pakistan”.

The press release also said Tolo TV will continue to broadcast “accurate and balanced news without taking into account the impacts on local authorities”. Meanwhile, RTA also issued a press release criticizing the Pakistani military government’s angry reaction, saying it was without reason.

Later on, on March 19th, 2006, Najeeb Roshan, General Director of RTA, said in a press conference that when asked, the Ministry of Foreign Affairs of Pakistan refuted the ban on Afghan TVs.

But Mahmood, who lives in Soorkai Road, Kuta city of Baluchestan, told Media Watch last March that “Ariana, Tolo TV and RTA have not been accessible via cable for at least one and a half months”.

Afghan channels in Pakistan are mainly watched by Afghan migrants and Pashto speaking Pakistani citizens. These channels are available in many cable networks of the country.

2. Gul-e-Narenj Poetry festival disrupted:

Every year upon the beginning of the spring season, Narenj poetry festival is celebrated by the Department of Information, Culture and Tourism of Jalalabad city, in Nangarhar province. A large number of poets read out their poems in this festival; thousands of interested people come from various provinces and even neighboring countries to listen to the poems.

Every year, a commission is established by the Department of Information, Culture and Tourism to organize the poetry festival. Poets interested in participating have to submit their poems to the commission and only then and with the approval of the commission are they allowed to read out their poems during the festival.

This year’s Narenj poetry festival, which took place on the 6th of April, 2006 in the Shahee palace of Jalalabad city, was disrupted by the interference of governmental authorities. While a young poet, Taher Shah Safi, was reading out his poem criticizing the policies of Pakistan against Afghanistan, he was interrupted by Gull Agha Shirzai, the Governor of Nangarhar province.

According to Ziarmal, one of the poets attending the event, “Tahir Safi was violently brought down from the stage by Gull Agha Shirzai and prevented from reading out his poem”.

Following this, as a sign of protest, the other poets tore their poems and left the event. When Media Watch contacted Gull Agha Shirzai’s office by phone, he refused to give an interview. Media Watch later approached the office of the Ministry of Interior spokesperson who quoted the Ningarhar governor as follows: “during this poem festival, one of the poets whose poem was of poor morality and not worth listening to, was prevented from reading. Nothing more happened and the poetry festival ended in good humor”.

But Tahir Safi, who was not allowed to read his poem, rejected the allegation of immorality against his poem and added that his poem had been approved by the commission in charge of the festival. Mohammad Hashim Gham Sharik, director of the Department of Information, Culture and Tourism of Ningarhar province claims on the contrary that the poem had not been evaluated, and that Tahir was reading it without the permission of the commission.

But one of the members of the commission itself, Lal Pacha Azmon, confirmed Tahir Safi’s saying that the poem had been evaluated by the Commission and authorized to be read out in the event.

Atta Mohammad Helamand, one of the poets who attended the poetry festival and was supposed to read his poem in the event, also says that Safi’s poem reading had been approved by the Commission. He added “the treatment Tahir Safi received is an obvious violation of the freedom of thought and expression guaranteed by the constitution”.

Rahimullah Samandar, director of the Afghanistan Independent Journalists Association, also called the action of the governmental authorities a breach to freedom of expression and an obvious offence to the Afghan constitution.

According to people previously participating in such poetry festivals, it is the first time a poet is seen to be threatened by governmental authorities and prevented from reading without a valid reason in a festival.

3: Radio Sada-e-Haqiqat in trouble with the governmental authority:

Radio Sada-e-Haqiqat, located in Samangan province, was officially inaugurated on the 31st of December, 2005 and set up with technical and financial support from the Danish Embassy, Internews and Nai.

This radio faced problems with the governor of Samangan in the beginning of April. Shamsullah, one of the journalists of the radio, described the problem in the following way: “There were five fellowships offered by the India government for the school students of Samangan province, but the governor Abdul Haq Shafaq had given all these scholarships to his relatives and personal friends, and no one had ever heard about them. When we were informed of the issue, Shamsullah added, we organized a roundtable in our studio with the participation of a few members of the Samangan provincial council. Abdul Haq Shafaq, the Governor of Samangan, was also invited to answer questions related to the issue, but he did not attend the roundtable. He later called me to his office and said I did not have the authority to report on this issue and make people conscious of it.” According to Shamsullah, the

governor then threatened him and said: “I have brought this radio station to Samangan province and I have paid money for its establishment, and now it becomes a problem for me.”

In response to the claims of Radio Sada-e-Haqiqat, Abdul Haq Shafaq, the Governor of Samangan, in a phone interview with Media Watch, denied the scholarships story and said that 68 scholarships from India were allocated to Northern provinces through an open competition. 12th grade graduates from Northern provinces competed for the fellowships in Balkh University on March 16th, 2006, but no one from Samangan province passed the exam. Regarding the alleged threats to the radio journalists, he said: “I have strived to establish this radio station and from the start I was interested see its development. I would never do anything that would harm the activities of this radio.”

According to Abdul Haq Shafaq, it is the radio journalists’ words which troubled the relationships between the station and the governor: according to him, Shamsullah would have told him that “The policy of [our] radio, as an independent radio station, is to be in conflict with the governor.” But Shamsullah objects: “I told the Governor that if our radio does not follow up important issues like this one, other radios will report on them and as a result, Sada-e-Haqiqat will be perceived as not fulfilling its duties well, and this will affect the flow of donor support.”

It seems that the troubles of Radio Sada-e-Haqiqat were a simple misunderstanding which Media Watch helped clear by discussing the issue with both the station and the governor. As the governor Abdul Haq Shafaq says, he has now no problem with Radio Sada-e-Haqiqat. Aminullah Qayoomi, Sada-e-Haqiqat Radio manager, shares this view: “as we came to understand the reality, we have no problem with the Governor any more.”

4. Publication of Weekly Watandaar stopped after a conflict with Younis Qaanooni, Chairman of the National Assembly

The publication in the weekly newspaper Watandaar (issue no 82, dated 2/4/2006) of an article entitled “Embezzlement of 25 Million Dollars by Younis Qaanooni” resulted in a conflict between Younis Qaanooni, Chairman of the National Assembly, and the management of Watandaar weekly.

According to one of the employees of the weekly, in the following issue, the management of Watandaar apologized for the publication of the article which was quoted from Kabul Press and Qest News Agency. Since then, Watandar stopped being published.

During a National Assembly session, Mohammad Younis Qaanooni talked about the closure of the weekly by the Office of the President. Fazlul Haq Faayez, an employee of Watandaar Weekly, explains: “The President Office officials told us not to publish the weekly until the proposed cabinet of the president would be presented and approved in Parliament; so we stopped the publication of the weekly.”

But Karim Rahimi, the spokesman of the president, denied the existence of limitations imposed to Watandaar Weekly by the President’s Office. Similarly, Seyamak Heravi, founder of Watandaar Weekly and deputy spokesman of the President, also rejects the allegation of pressures by government agencies on the weekly and explains the delays in the publication of the weekly with financial arguments. “Whenever we will have the financial ability to print the weekly, we will do so”.

In the last four years, over 300 publications have come into existence in Afghanistan; two of them (the weekly Aaftaab and the government daily Aarman-e-Milli) have been prohibited by the government. Aaftaab Weekly is now published in Canada, while the new Daily Aarman-e-Milli is a privately run newspaper published daily.

5. Afghanistan has a new Media Law:

The Mass Media Law has been officially gazetted and its 9 chapter and 42 articles are now effective. This Law was drafted based on the 34th article of the Afghanistan constitution and the 19th article of the Human rights International declaration, to regulate the activities of Media outlets and ensure the right to freedom of thought and expression. The Law was approved on the 18th of December 2005, by the council of ministers headed by the President of Afghanistan, and was published on the 5th of January, 2006 in Kabul. It has been available in the official Gazette Sales Section of the Ministry of Justice since early March 2006.

The new Media Law has undergone changes in its content and format, the wording has been refined, and new articles were added while other articles were removed from the previous law. For instance, while in the previous Media Law, Article 3 Part II states that publications with a circulation under 200 copies do not have to be registered with the Ministry of Information, Culture and Tourism, in the new Media Law, the article has been removed. Rahimullah Samandar, the director of AIJA (Afghanistan independent Journalists Association), comments: “the Law which became effective recently will have a positive impact on freedom of speech; after having revised its Media Law three times, Afghanistan now has the best law in the region.”

The most important element of the new Media Law is the formation of three new commissions, and the change of names of the commissions described in the previous law.

Under the previous law, two bodies were in charge of regulating media agencies: the Independent Commission for Broadcast Media and the Media Commission for Investigating Media Related Offences. The new law now introduces five commissions as follow:

1. The Media High Council
2. The Private and Personal Media Commission
3. The National Radio-TV Afghanistan Commission
4. The Bakhtar Information Agency Commission
5. The Commission on Media Complaints and Violations

The membership criteria and the jurisdiction of these commissions have also been defined in the new law.

This new law comes as Afghanistan’s third Mass Media Law in four years. The first Media Law was codified and issued on the 9th of March 2002 and the second was issued on the 4th of April 2004. Some media analysts and media professionals (Ahmad Zia Rafhat, Writer and Poet, Ahmad Shah Afghanzai, Director of Afghan TV, Hamid Noori, Director of the National Journalists Association, and others) have questioned the successive changes to the Media Law, saying that they discredit its validity.

In a National Assembly meeting, Alleme Balkhe, a parliamentarian from Balkh province, said: “The Minister of Information, Culture and Tourism, Saeed Makhdom Raheen, adopts and changes the Law as he sees fit”. But Saeed Makhdom Raheen, now temporarily acting Minister of Information Culture and Tourism, considers that the continual changes to the law are simply a result of the rapid development of mass media in Afghanistan. According to him, new developments prompt the Ministry of Information, Culture and Tourism to pay more attention to the Mass Media Law and make positive changes to it if needed.

Worth mentioning is the fact that according to the constitution of the country, all laws must go to the National Assembly for approval. But none of the country’s laws have yet been presented to Parliament for approval.

6. A commission for long-term development strategy established for Afghanistan Media:

The Independent High Commission of Information and Communication for Afghanistan met in Paris from the 9th to the 18th of March 2006 to start designing a long-term development strategy for media organizations in Afghanistan. Fifteen Afghan and international media professionals attended the meeting, which was facilitated by UNESCO with financial support from Japan.

Rahimullah Samandar, the director of the Afghanistan Independent Journalists Association, and one of the participants of the meeting, told Media Watch: “the members were appointed a few months ago following the proposition of the Minister of Information, Culture and Tourism and the Minister of Foreign Affairs and with the approval of the President of Afghanistan. During the meeting, the commission discussed media priorities and the needs for access to information; women’s participation in media; the situation of the broadcast and print media; the needs of the media, and some other issues”. Samandar added: “During this meeting Moosa Maroofoi was appointed unanimously as the director of the commission; Safiqa Habibi as the deputy director and three other members, Amin Tarzi, Dr, Zahir Sediq and myself were appointed as secretaries”.

According to Samandar this commission will hold regular meetings in Kabul every Sunday at 4:00pm for the next four months. After four months, the commission will produce a detailed report outlining the needs of the media sector and presenting mechanisms for the strategic development of Afghan media. The report will be submitted to the president of Afghanistan.

The set up and the work of this commission should bring positive results for Media outlets, if only because the duty of its professional working group is to provide needed information and statistics, as well as an analysis of and possible solutions to the problems the Afghan Media faces.

7. Khost Province has its first ever daily newspaper: Breshna

Feeling the need for a daily newspaper, Haji Mir Ali launched Khost’s first daily newspaper on February 17, 2006. The four-page independent daily publishes local and international news, as well as sports, literature, commercial announcements and articles sent in by readers. Haji Mir Ali, chief editor of Breshna, told Media Watch: “earlier, there were newspapers and magazines published in Khost, but there was no daily newspaper.” He added: “I am

personally investing to promote the culture of reading among the residents of Khost by launching this daily.”

Currently, Breshna distributes daily about 1,000 issues in Khost city and other nearby districts. According to the editor, there are plans to distribute the daily in all districts of Khost province and even neighboring provinces. Noor Shah Noorani, a poet and writer living in Khost province, comments: “besides providing information to the people on the latest events, this daily is entertaining and encourages people of the region to buy daily newspapers, magazines and books”. According to Noorani, most of the newspapers copies are distributed for free.

In Khost today, Islam Ghag (weekly), Torghar (bi-monthly) and the monthly magazine of the Women affairs Department are the only regular publications besides Breshna.

According to Saeed Makhdoom Raheen, Acting Minister of Information, Culture & Tourism, over 300 print media are currently operating in Afghanistan.

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Journalism Freedom Report v.12

Media Watch Afghanistan

June 2006

Azizullah Habibi

Media Law mentor

As days pass by, afghan journalists face more and more obstacles while performing their professional duties; reporting becomes more difficult. When the new Afghan parliament came into existence, it was expected that journalist would be treated according to the law and there would be less chances to deprive them from their professional right, but conversely, the conditions have worsened. A most extreme example is an incident where a member of parliament beat up a journalist inside the parliament hall without any provocation.

In addition to this, we have recorded other disappointing news from journalists and media outlets which are presented in detail in this newsletter. Our headlines for this month are:

- Tolo TV reporter beaten by a parliamentarian inside parliament hall while covering a parliamentary debate.
- Ayena TV reporter was beaten by guards of the vice-president in Kabul city.
- Aryana TV was stormed by violent rioters and had property torched during the May 29 riots in Kabul city.
- Mirwais Amini editor in chief of Zuwan Zuwak monthly magazine was threatened by the governor of Khost province.

On a more positive note:

- World Press Freedom day was celebrated in Kabul city.
- Afghanistan Independent Radio association established.

1. Cameraman of Tolo TV was beaten up by a member of the parliament.

On 7th May 2006, as parliament was debating the Budget for Afghanistan for the solar calendar year of 1385, Malalai Joya (representing Farah province) changed the focus of the debate by denouncing the atrocities committed by the Mujahideens, resulting in violence and physical attacks in the parliamentary hall.

Joya's opponents started throwing bottles of water at her and threatening her. As Omid Yakmanish was filming the dispute for Tolo TV, he suddenly got attacked by Khyal Mohammad Husaini, the representative of Ghazni province. "When I was filming the parliamentary debates, I was suddenly attacked by a parliamentarian and later I was forced out of the national assembly hall", said Omid Yakmanish.

Khyal Mohammad Husaini, in an interview with Media Watch, rejected the accusation of physical violence against Omid Yakmanish and said: "I only advised him not to film debates", but what Tolo TV aired showed that Khyal Mohammad had slapped Yakmanish. Salam Watandar reporter, Dauod Shah Mal, witnessed the scene and stated "Khyal Mohammad slapped Yakmanish so hard that I heard it from a 50 meter distance".

Shir Aziz Kamawal, the General Director of the National Assembly of Security Affairs, said "to put an end to the dispute, the security guards evicted the reporter from the hall for a while. After the dispute the session stopped, all parliamentarians and journalists left the hall. While there is no session, no one is allowed to enter the hall, including the journalists", he added.

After this incident, the National Assembly put increased pressure on journalists and almost 200 parliament press cards were canceled. When Media Watch investigated these pressures, a national assembly press office worker said "as the number of reporters holding parliament press cards increased, we decided to decrease them. The card issue is not related to the violence committed by Khyal Mohammad against the cameraman of Tolo TV".

The management of Tolo TV in an interview with Media Watch condemned the assault on their cameraman and called it an illegal act, breaching the law and parliamentary regulations. They added that they formally addressed this concern to the Attorney General Office and the Media Commission for Investigating Media Related Offences, and that they will follow up the case judicially. According to them, no action against Khyal Mohammad Husaini has been taken by the Attorney General Office so far.

On 9th May, 2006 The Afghanistan National Journalists Association (ANJA) also condemned the action of the parliamentarian in a gathering held in the International Press Center with the participation of a number of journalists. Ahmad Ghaus Zalmi, director of ANJA, said the reporters should unite to better perform their jobs, and added "if we are not like a single body when we were slapped today, we will be kicked tomorrow and our problem will increase day by day".

On 12th of May, 2006 a number of journalists in front of the Human Rights Regional office in Balkh province in a gathering condemned this event and called for more investigation on this issue.

2. Ayna TV reporters beaten up by vice-president security officers belonging to the 10th national security department of Kabul:

A three-member crew of the independent Ayna TV was physically beaten by vice-president security officers belonging to the 10th national security department of Kabul, on the 27th of May 2006 in Kabul city.

Nasir Ahmadi, one of the reporters who got his hand broken, told Media Watch “on Saturday, when we were on our way from our office in Wazir Akbar Khan to the Parliament to cover the session, as we got close to Uzma palace, the road was blocked to let the second vice-president convoy pass, vehicles were later allowed to go through, but the Ayna TV car was stopped by the security guards. When the security realized that we were working for Ayna TV, they started arguing with us and beating us, and they broke my hand”. During this dispute, Bashir Asem, the cameraman, and Rafee Osooq, the other reporter of Ayna TV, were also injured.

Hamayoun Khairi, the head of Ayna TV, condemned the incident in a conference, saying it was a shameful action and asked for further investigation of this issue.

One of the national security officers, who asked for his identity to remain confidential, told Media Watch “on the 27th of May, as the convoy of the second vice-president of Afghanistan was passing, it was filmed by the reporter of Ayna crew. This is a prohibited act and our security prevented them from filming. Our security officers have not broken the hand of Naser Ahmadi”, he added, “he has wrapped his hand to make people believe it is broken”.

On the 28th of May, 2006, in a session which was held by Ayna TV in Maiwand Hall with a number of journalists, the heads of Journalists Associations and the lecturers of the journalism faculty condemned the act of the security guards and called for more investigation. Dr Esmatullahi, a lecturer of the journalism faculty said “this was not the first time and will not be the last, since media outlets have started their work in the country, they have faced various problems”.

Esmatullahi proposed two options to prevent violence against journalists. The first is to issue statements addressed separately to the President of Afghanistan, the National Assembly and judicial organs, and to publicize them via media outlets. The second is to revise the media law to ensure the safety of journalists.

Ahmad Ghaus Zalmai, director of the Afghanistan National Journalists Association, asked in his speech for the security organs to inform their personnel on journalists’ rights and teach them how to behave with journalists.

Sediq Afghan, the head of the International Center for Mathematical Philosophy, was also invited to this gathering. In his speech, he announced that he would start a hunger strike for 24 hours in order to draw the attention of the authorities to this issue and so that such incident will not take place in the future.

3. Mirwais Amini, chief editor of the Zuwan Zuwak monthly magazine, was threatened by the governor of Khost province:

Mirwias Amini, chief editor of the Zuwan Zuwak monthly in Khost, told Media Watch in the beginning of his interview “a suspect was arrested by the security in charge. His face was blackened and he was shown to the people around the city as an example. He was hit with rotten fruits and tomatoes, insulted and humiliated by the people.”

Mirwais added “I considered this action contrary to the Afghan constitution and other effective laws in the country, so I sent out one of our magazine reporter to the police department to cover the story. The person in charge of the police department told our reporter that they had done this following the order of the Khost governor, Merajuddin Patan. I later went to the governors house for an interview. The Governor accepted to be interview without making any trouble”.

Mirwais recounted his interview with the Govenor: “I asked him “*according to which law have you ordered to blacken the face of the suspect?*” He said: “*We do this according to the region traditions and customs.*” My second question was: “*According to the article 25th of the Afghanistan Constitution, an accused is considered innocent until convicted by a final decision of an authorized court. Don’t you think you have violated this article of the Law?*” The governor suddenly started insulting and threatening me. The Govenor said “*if you air this, we will charge you for complicity with this suspect and we will put you in jail*”.”

Media Watch interviewed the governor of Khost, Paten, about this issue over the phone. The governor said that a few moths ago, they blackened the face of a man accused of child rape and showed him to the public to make an example for others. Patan said that they have only done this one time. The governor stated he believed Mirwais was involved with “robbers and thieves” and said “I did not threaten him with jail”.

The governor added that the reporter was only a reporter by name, and that he did not actually have a good personality. Patan said “I have spent 25 years in America, I know the ground rules for democracy and liberalism, and I have always supported media outlets financially and encouraged them; I would never do anything to limit the activity of the media outlets in Khost province.”

3. Aryana TV under attack in the Kabul riots:

On 29th May 2006, the private TV station Aryana suffered great financial loss in the riot after the fatal traffic crash involving a US army truck in Sara-e-Shamali. According to Abdul Ghani Modaqiq, one of the Aryana TV managers, the damages amount to about 500,000 USD.

According to Modaqiq and staff from the neighbouring Internews office, the protestors set fire to four new vehicles which were parked in front of the TV station, while another one of their vehicles was seriously damaged in the area of Sara-e-Shamali, and one of their cameraman was beaten up and had his camera broken. The security stand wall which was in front of the Aryana TV was also destroyed by the protestors, as they tried to storm the building.

Abdul Ghani Modaqiq accuses national security agencies of not performing their job on time. He states “when the angry mob stormed the station, we repeatedly called the

security agencies for help in our station broadcast, but security agencies like the police and National Forces didn't help us and the protestors looted and destroyed the property of our station. When the angry mob wanted to force their way into our offices, they were pushed back by the personnel of the TV station."

Aryanna TV continued to broadcast live while under attack, showing the riots to Afghans across the nation.

The office of the spokesperson of the interior ministry accepted there were delays on the part of the security agencies in getting to the area. He said the reason was the problems encountered on the way to Aryana TV.

A majority of experts and governmental authorities confirmed that the security agencies did not fulfill their duty properly in the 29th of March.

Protestors have set fire and destroyed several governmental and non-governmental organizations' buildings and properties, as well as stores, shops, restaurants, hotels and some other private and public properties. Over 18 civilians died in the event.

5. Ten Afghan journalists awarded on World Press Freedom day:

On the 3rd May, 2006, World Press Freedom Day was celebrated with the sponsorship of Nai - *Supporting Afghanistan Open Media*, Internews Network, Internews Europe, UNESCO, USAID, UNDP and the EC in the Carwan Sarae Guest house in Kabul.

The Acting Minister of Information and Youth, Saeed Makhdom Raheen, in his remarks said media has achieved a great deal in the last four years, and the momentum should be kept up. Carlotta Gall of the New York Times said despite the fact that many reporters have difficulties in accessing information, they should try their best to provide accurate, effective and interesting reports.

Attending the celebration were the Acting Minister for Information, Culture, Tourism and Youth, Deputy Ministers, and almost 200 journalists from foreign and national media.

"On World Press Freedom Day, let us recognize that national and global media not only report on improvements, but is itself agents of improvements. We should all be grateful for the work and imagination of the press. I trust old and new media alike will be able to continue their work, unencumbered by threats, fear or other constraint", said the UN Secretary General Kofi Annan, in a statement read UNDP Media Relations Dominic Medley.

Reporters Noorullah Noori, from Bakhtar Information Agency in Qandahar province, Habibullah Ebrahimi, from Pajhwok Afghan News in Kabul, and Ajmal Khaliqyar, from Radio Salam Watandar in Herat, gave testimonials of their reporting experiences.

The event ended with the awards ceremony in which 10 Afghan journalists were given USD100, and appreciation letters as follow:

1. Ezatullah Zawab – Pajhwok Afghan News Agency
2. Ajmal Khaliqyar – Salaam Watandar National radio program

3. Ataullah Ubaidee – Salaam Watandar National radio program
4. Jabar Bazar - Ayna TV
5. Shairshah hamdard. – Radio Leberly
6. Katreen Weda - Cheragh daily Newspaper
7. Masood Qiam - Tolo TV
8. Waliullah Shaheen - Aljazeera TV
9. Sayed Ahmad Qanai - Gul Narange monthly magazine
10. Rona - Quyash radio

In year 1993, May 3rd was named World Press Freedom day by the United Nations and is still celebrated yearly around the world.

6. The Afghan Independent Radio Association established by support of Nai:

Thirty-one station managers and representatives of provincial radio stations in Afghanistan met for three days in Kabul to establish the first Afghan Independent Radio Association (AIRA), on April 30, 2006.

During its first ever elections, AIRA nominated its Director (Director Najeer Naseer, Manager of Radio Zafar) and two Deputy Directors (Rozbeh Behroz, Manager of Radio Ammo, and Ali Erfanee, Manager of Radio Bamian). The association Board of Directors was also elected and is composed of 9 members, including the Director and two Deputy Directors.

The Board of Directors was tasked to do the groundwork for the registration of AIRA with the Ministry of Justice.

Nai Supporting Afghanistan Open Media has offered a workspace to AIRA temporarily, which will be based in Nai office. Beside this Nai has provided them electricity, internet connection and a computer. The Nai Radio Network Coordination Department will work closely with AIRA, and assist them in the launching of their activities. It's worth mentioning those stations have the membership of the association which were set up and are technically supported by **Internews** (an international NGO working in Afghanistan since 2002) and **Nai Supporting Afghanistan Open Media**.

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Journalism Freedom Report v.13

Media Watch Afghanistan

July 2006

Azizullah Habibi

Media Law mentor

In the past month, there has been an increase in discussions around “the media” and “freedom of thought and speech”. These discussions were partly propelled by the issuance of unofficial orders by government agencies. If the current trend continues, and government agencies continue to interfere in media affairs through unauthorized activities, the media will face great difficulty in the near future.

This Newsletter covers a collection of issues which have been affecting the media in both positive and negative ways over the past month:

- National Security Directorate NSD seeks restrictions on media outlets’ activities.
- Yawali Ghag Radio receives anonymous threats
- Broadcasting policy of the Afghan Islamic Press (AIP) criticized by Taliban.
- Once again Journalists were denied access to the site of an accident involving the Coalition Forces.
- Establishment of two new radio stations in Khost and Paktia province.
- Two day workshop evaluating Afghanistan media convened by Internews and Nai - *Supporting Afghanistan Open Media*.
- Members of the Bamyan provincial council learn how to communicate with media outlets.

1. National Security Directorate (NSD) seeks restrictions on media outlets’ activities

On June 19, 2006, a letter was delivered to almost thirty media outlets in Kabul. The letter, which contained guidelines on thematic restrictions for media outlets, was neither stamped nor signed.

According to Saeed Sulaiman Ashna, Director of Shamshad TV, on the 12th of June, a handful of journalists were invited to NSD and a similar letter was presented to them with almost exactly the same content. At the end of the meeting, the letters were collected from the journalists, to ensure they did not distribute them publicly.

On the 22nd of June 2006, during a press conference, held by the President of Afghanistan on a diplomatic visit to China, confirmed the contents of the letter. The Pashto version of the minutes issued by the President's spokesperson office state "the content of this letter is about issues concerning terrorism and the media should follow some principles for the sake of national interests". However the English translation of the minutes omits this sentence and makes no mention of the letter.

In a news bulletin, on 22nd of June, 2006, Tolo TV also reported on the press conference and on the President's comments that he believes in freedom of thought, speech and freedom of the media and that the letter was aimed only at media outlets actively supporting the "enemies of the people of Afghanistan". A range of journalists have speculated that the President's Office omitted this sentence in the English version of the minutes, in order to minimise international media and community scrutiny of this issue.

Najeeba Ayubi, manager of radio Killid in Kabul, said "when I received the paper which contained no official stamp and signature, the person who brought the letter asked me to provide him a receipt carrying my signature. I refused to take the paper. I later called the 74th department of the security and asked them whether this document was sent by them. The answer was "yes we have sent that instruction letter and you should take it." Najeeba added "since the source of this letter was unclear, I refused to take it, but the person left a copy of the paper in my office and left".

Though the content of this letter is, to some extent, similar to the Media Law, some articles are contrary to the principles of freedom of expression enshrined in both the media law and the Afghan Constitution.

The first paragraph of the letter concerns the significance of media and mentions that the Mass Media Law has determined the direction of media activities, but that in the current circumstances "*it is important that media must ban or restrict broadcasting those materials which deteriorate the morale of the public, cause security problems and which are against the national interests*".

The letter proposes firstly that "*Publication and broadcasting of provocative statements of armed organizations and terrorist groups.....must be banned or restricted*". Second on the list for banning is "*broadcasting and publications of reports which cause irritation, any exaggerated reports against national unity, or against peace throughout the country and those reports that cause intolerance of language, religious, ethnic and local diversities.*"

But there is no guidance in the letter about how judgements would be made about whether published material fits the above criteria or not. According to Noorani, Chief Editor of the Kabul based weekly newspaper Peshraw "this letter is so general that if its content is to be enforced, the government will not only be able to create problem for media outlets, but it will also be entitled to interrupt the works of anyone including bicycle repairers, cart owners and bakers."

The third thing the letter forbids is “Conducting interviews with high ranking well known commanders of terrorist groups who are participating in armed conflict against the government, and filming or photographing them, and broadcasting or publication of those reports that have been prepared in the favor of and in order to bolster the morale of the enemies of peace and security.”

The fourth article of the list has the intent of controlling the editors of media outlets, directing them on how to classify their news bulletins, and points out that terrorists related activities should not be placed in the headlines.

The fifth article forbids the publication and broadcasting of “materials that deteriorate people’s morale and cause disappointment to them”.

The sixth article forbids the “publication and broadcasting of religious decrees of the terrorists” and the seventh article prevents “negative propaganda” against the presence of international coalition forces and ISAF.

Article eight forbids "broadcasting and publication of any views of the people’s enemies who propose that the Islamic Republic of Afghanistan is not Islamic, or who propose that combating terrorism is akin to combating Islam.”

In addition to all the above, the letter advised to ban or restrict “Those reports that aim to represent that the fighting spirit in Afghanistan’s armed forces is weak.”

The letter goes on to impose a ban on “live reports from meetings and ceremonies that disclose confidential governmental and military secrets and cause a deterioration of relations among three branches of the State and results in reduction of the Government’s and Parliament’s stand.” In addition the letter states that, media outlets aren’t authorized to “broadcast or publish reports and interviews that are against the government’s foreign policy in regard to neighboring countries and which may create conflict between the government and neighboring countries.”

Afghanistan has a media law which this letter clearly contravenes. For example, the fifth article of Afghanistan’s Media Law specifies that all public material can be published and broadcasted by the media “every person has the right to seek and receive information. The government shall provide the information sought by citizens, except if the information sought is confidential and its disclosure endangers the security, national interests and territorial integrity of the country or damages the rights of other people”.

Article 33 of the same law also lists the materials which media outlets are not allowed to publish and broadcast:

1. Materials that are contrary to the principles of the Holy Religion of Islam or are offensive to other religions;
2. Materials that are libelous and slanderous to persons;
3. Materials advocating violence, war, or other issues contrary to the provisions of the Constitution, or termed as an offence in the Penal Code.
4. Materials disclosing the identity and pictures of victims of violence and rape in a manner that damage their social dignity.

While Article 4.2 of the media law states that the Government support, strengthen, and guarantee freedom of mass media and that “except as authorized under this law, no real or incorporeal person, including government and government offices, may ban, prohibit, censor or limit the informational activities of mass media or otherwise interfere in their affairs”.

Based on this article no organ, including NSD (National Security Directorate) has the right to interfere in the activities of the media outlets. Saeed Aqa Hussain Sancharaki, writer and media specialist, considered the dissemination of the letter an illegal action “for designing policies for media outlets, we have the Media High Council, and for media offenses, we have The Commission on Media Complaints and Violations. The interference of the NSD in the activities of the media outlets is an illegal action from any point of view, and judiciary action should be taken against it.”

After the distribution of the NSD letter, media outlets reacted via press releases and held press conferences.

On the 21st of June, 2006 representatives from more than 30 media outlets gathered in CIJ (Center for International Journalism) to consider and evaluate the instruction letter and issued a statement claiming the letter was void since it did not carry any official stamp and signature.

During the gathering, participants expressed their concerns regarding the interference of unrelated organs like the NSD and concluded that this kind of interference could be dangerous and pernicious for the future of democracy in Afghanistan. They also confirmed that such thoughtless activities will disfigure Afghan democracy in the eyes of the world. In this gathering, Dad Noorani, chief editor of Paish Roa Weekly, said if this letter was to be accepted by the media outlets it would be the end of freedom of speech in Afghanistan.

Parallel to the distribution of this letter in Kabul, the governor of Herat Saeed Hussain Anwari criticized the activities and reports of the media outlets and said their broadcasting is irresponsible and in opposition to national interest.

Saeed Hussain Anwari declared in a meeting with parliamentarians from Herat province and members of the provincial council that “the irresponsible broadcasting of TV stations has affected the situation in the country.” He pointed out that media outlets are busy propagating ideas in favor of the enemies of the state, while the government has issued operation licenses to them.

Assessing the current situation and attitude of the government towards media, many media practitioners believe that in the near future, there will be more problems between media and the government.

It is a concern for journalists that this letter with such prescriptive censorship instructions can be distributed by like leaflets, from NDS officers proposing they represent a government authority and have the endorsement of government, but without any official signature, letterhead or government endorsement. Whether or not these rules have received indirect or unofficial support from the Islamic Republic of Afghanistan is unclear, but if so is certainly a matter of concern.

Media Watch joins the journalists of Afghanistan to call on the government to investigate this issue to ensure officers and agencies acting without the authority or approval of government be held responsible for their actions.

2. Yawali Ghag Radio receives anonymous threats

Yawali Ghag radio which is established by Internews Afghanistan on July 7th, 2004, located in Saeed Abad, a district of Maidan Wardak, and has received harassing threats. In a phone interview with Media Watch, Hazratuddin Nasir, the manager of the radio station, said “during the last two months, I have received threat messages hung on the walls of my house; I was also threatened by phone once”. He added “in the messages, I was warned that as I am working for Christian organizations and Christians are helping me, I am propagating Christianity in the society”.

According to Hazratuddin, Yawali Ghag radio is administered by a consultative board of religious clerics, tribal and local elders and its programs are in conformity with Islamic principles, the Constitution, the Media Law and local traditions; it has never promoted Christianity.

Following these threats, Hazratuddin, manager of Yawali Ghag informed the security department of Maidan Wardak, as well as the PRT team of this province about the situation and was promised the security of the station would be ensured.

3. Broadcasting policy of the Afghan Islamic Press (AIP) criticized by Taliban

After AIP published the news that they had been criticized by the Taliban, several media outlets presented the issue saying AIP had been threatened.

In its website, AIP writes “on June the 16th 2006, Dr. Mohammad Haneef, the Taliban spokesman, called AIP from an unknown location and severely criticized the policy of this agency towards the Taliban.” AIP adds “Dr. Haneef went on saying that AIP publishes the victories of Taliban as a claim, while it publishes American related news as clear-cut.”

The website also says “the Taliban spokesman, who seemed very angry, told me that we were monitoring all media outlets and were aware of the right and wrong policies of these outlets towards the Taliban, and that they had come to the conclusion that AIP policy towards the Taliban was wrong.”

Mohammad Yaqoub Sharaafat, the person in-charge of the AIP, in response to an email sent by Media Watch, wrote “The Taliban spokesman has not threatened us; some sources have mistakenly considered this criticism from Taliban as a threat. In fact, they have complained that we present their victories as claims, while the reports on the Coalition forces present clear-cut news.”

The AIP works according to its policy “Taliban are a resistant force and the current Afghan administration is the power, so when we receive news from the Taliban, we present them as a claims by the Taliban, but the views of the Americans and the Government of Afghanistan are presented as official statements”, Yaqoub Sharaafat added "we release the news we get from Taliban as a claim, till the said news are not

confirmed from other sources and when those news are confirmed from other sources, then we release those news as authentic news.

In a phone interview with Media Watch from an unknown location, the Taliban spokesman denied that he had threatened AIP.

AIP was established in 1982 in Peshawar, Pakistan, to cover news related to the war between the former USSR and the Afghan Mujahideen. Currently, this agency is registered in the Ministry of Information, Culture and Youth as an Afghan news agency.

4. Once again Journalists were denied access to the site of an accident involving the Coalition forces.

A traffic accident inducing death of one and injury of another person took place in district (11), Khairkhana hill area, on the 13th of June 2006 at 5.00 am. The accident occurred as an American heavy vehicle collided with a motorbike after which the vehicle went out of track and crashed into the wall of a house. When journalists rushed to the site of the accident, they were refused authorisation to approach and were mistreated. An Aryana TV reporter was not allowed to leave the area of the accident for a short period of time and according to Rahim Gul Zadran, Aljazeera cameraman who was in the area of accident, a Reuters News Agency's journalist was beaten.

According to Kabeer Ehsaas, a Deutsche Welle Radio journalist, this is not the first instance of its kinds "we can find examples of equivalent poor treatment in the past as well". Approximately two weeks before this accident, another accident had occurred in the same area and had caused widespread riots in Kabul City resulting in the death of 17 and the injury of 65 Kabul residents, according to official figures. When journalists persisted to reach the site of the second accident, security forces did not allow them to enter the area and told them that the public should not know about the accident, so as to prevent another riot.

In an interview with Media Watch, the Spokesman of the Ministry of Interior denied reports saying that the Police have prevented journalists from accessing the site of accident. Despite extensive efforts, Media Watch did not succeed in finding out the official statement of the National Security Department on this issue.

Kareem Rahimi, the spokesman of the President's Office, held a press conference in the conference room of the Ministry of Information, Culture and Youth on the day of the accident. He expressed his regret about the death of an afghan citizen in the incident and criticized the restriction of access to journalists, he also added that the government is willing to let journalists perform their duties without any disturbance.

5. Establishment of two new radio stations in Khost and Paktia province:

21st of June, 2006, 5pm, Radio Zuan Ghag started its test broadcasting with the recitation of the Holy Quran. According to Mohammad Farid Raaid, the National Project Coordinator of NJTP (Novice Journalism Training Program) in Sayara Media Communication Center, this is the second radio station established by Sayara Media

Communication Center. “Our first radio station was established in the faculty of journalism in Herat province and Zuan Ghag is our second radio station which goes on air. The purpose for the establishment of these radio stations is to provide students of the journalism faculty with a space for practice” Dr Farid added.

In addition to the establishment of radio stations, Sayara establishes studios in universities which have journalism faculty in the provinces, to encourage students to do practical exercises.

Radio Zuan Ghag was established with the financial support of the USAID. Dr. Hedayatullah Zurmati, the manager of Zuan Ghag radio, told Media Watch in an interview “Radio Zuan is an educational radio station, its staff is selected among the students of the journalism faculty of Khost province”.

According to Dr. Hedayatullah, this radio had to suspend broadcasting due to the students’ examinations and by the end of the examinations it will be again airing regularly in the province. This radio has coverage of 20 km and can be heard clearly on the FM band on 99.7 frequency. Zuan Ghag is the fourth radio station to operate in Khost province.

In the meantime, on the 21st of May, 2006, another private radio station named Paktia Ghag started its 12 hours daily broadcasts in Gardez city, Paktia province. Yaar Ahmadzai, the owner of this radio station, is a Pashtoon of Paktia province living now in London. Mohammad Zia Araman, the manager of Paktia Ghag told Media Watch in an interview that the radio can cover 70 km and is accessible on FM waves. “Our 12 hours programs include News report, Music, entertaining programs, and informative and social shows.”

During the inauguration of the radio, a gathering was held in Khost province, a number of government high ranking officials and members of the provincial council attended this gathering. Only one state-run radio station was operating in Gardez city until now, Paktia Ghag is now the second one.

6. Two day workshop evaluating media of Afghanistan was convened by Internews and Nai-Supporting Afghanistan Open Media

On June 14 and 15, 2006, a two-day workshop reviewing the progress of Afghan media over the last few years and identifying future challenges and opportunities.

Afghan journalists expressed confidence in the progress made by the media over the last four years, but more capacity building and support is still needed, they said during a two-day workshop organized by Internews in June 2006.

More than 100 top editors, journalists and media workers participated in a media review and planning seminar hosted June 14-15. Attendees were asked to discuss and draft their views on a variety of topics, from media self-sustainability and donor relations to professional development and content and quality of the press.

Participants expressed frustration with what they called a lack of clear understanding about basic journalism principals and reporting standards. On the same note, attendees said they were impressed with the degree of public support for the Afghan press. “For

the first time, the public accepts and supports the media because they are independent and able to express the truth and the views of the people,” they wrote.

Afghanistan had no functioning press when the Taliban were ousted from power in late 2001. For most of its history, Afghan media was state-run and independent press was censored by various regimes.

Attendees said they were happy with government support for freedom of expression, but they complained about a lack of clarity in the media law and how authorities handle violations. Journalists also expressed frustration with self-censorship and pressure by the authorities, including threats, harassment and intimidation.

One week after the seminar, the country’s National Security Department issued an unofficial directive of media restrictions, for example, calling on the media not to give coverage to insurgents and not to give bad press to the Afghan national army.

Participants said they would also like to see international assistance to develop copyright laws and more journalism training, including in the area of business development and management. “This was a good seminar,” said Radio Sharq station manager Shafiqullah Shaiq. “I was glad to take part in planning with other media.”

The results of the workshop will be compiled in a report format and will be made available publicly and for all Afghan media outlets.

7. Members of the Bamyan provincial council learn how to communicate with media outlets:

In a two-day workshop organized in NDI (National Democratic Institute) on 17th to 18th of June, 2006 in the sub-office of NDI in Bamyan province, nine members of the Bamyan provincial council learnt how to develop their working capacity and how to approach media. According to Mohammad Baqir, one of the workshop trainers, members of the provincial council were taught how to give interview to journalists, how to draft and issue press releases, how to hold press conferences and how to take part in discussions and round tables.

According to Nawrooz Ali Etemaadi, the head of the Bamyan Provincial Council, convene of such workshops is very useful for the members of the Bamyan Provincial Council as they learnt how to communicate with media professionals and sharing information with people via the media. The members of the Council will utilize what they have learnt from the workshop.

The Bamyan provincial council is composed of 9 members who were selected through public vote in 2005, out of these nine members, three are women.

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Nai- Supporting Afghanistan Open Media

Media Watch Report

Journalism Freedom Report # 14

Azizullah Habibi
Media analyst

With the ongoing deterioration of the security situation in Afghanistan, the work of the media becomes both constrained and more dangerous. During the previous month, journalists and media outlets have suffered both human and financial loss as a consequence. One reporter was killed, another was beaten, audio equipment as well as cash have been stolen from journalists as a result of their daily activities as journalists. Other journalists have been imprisoned, harassed and threatened. Even though accessing critical information on these incidents is increasingly difficult and in some cases, impossible, media watch has covered the following stories during the last month:

- Reporters of Tolo TV were beaten by gunmen in Paghman district
- An Ariana TV cameraman was killed in an explosion in Qandahar city
- A Azadi Radio reporter was threatened in Helmand by the Governor
- A Department for Vice and Virtues (*Amer ba Maroof wa Nahi az Munkar*) was created with potential negative impact on freedom of speech and association.
- The media of Daikundi province face editorial pressure from local authorities.
- Pajhwok News Agency reporter had equipment and money stolen in Nemroz Province.
- Three journalist unions merged to form Afghanistan's National Union of Journalists
- A Journalist Support Fund was created.
- A work shop on Research Journalism was convened by The Center for International Journalism for more than fifty journalists in the eastern and northeastern zones.

1. Reporters of Tolo TV beaten by gunmen in Paghman district

On the 29th of July 2006 [7th of Asad], reporters of Tolo TV were beaten while filming a demonstration in Paghman District, Kabul Province. The demonstration concerned Abdul Rab Rasool Sayyaf, a member of the lower house of Parliament as a representative of Kabul Province.

Noorullah Rahmani, one of the reporters, said that seven gunmen beat him, the Tolo TV cameraman, Qais Rahmani, and their driver. In addition, he said the gunmen took away their camera and the film of the demonstration.

The demonstration was held by a number of local residents from Paghman District who claim that their land had been taken from them, through no formal legal or commercial transaction, by Mr Sayyaf, a representative of Kabul citizens in the lower house of Parliament. This demonstration lasted for two days from 28th to the 29th of July 2006 [6th, 7th of Asad] and resulted in some violence and the death of two demonstrators.

Around 400 people from Paghman district, joined the demonstration on the 29th July [7th of Asad] to object the so called “land grabbing” activities of Sayyaf, and the death of a person during the first day of the demonstration (the other person died later in hospital).

Mr Rahmani said that after filming the demonstrators burning Sayyaf’s effigy and interviewing key community members present, the Tolo TV team headed to the Police Headquarters of Paghman District to continue researching this story, when gunmen intercepted them and beat them in an area close to Zafar Vault and their camera was confiscated. Mr Rahmani believes these gunman were connected to Sayyaf, however there is no clear evidence of this.

Abdul Razaq, the Chief of Police in Paghman District, confirmed the beating of Tolo TV staff in an interview with Pajhwok News Agency and said that the identities of those persons had not been established yet.

Media Watch tried to interview Abdul Rab Rasul Sayyaf concerning the issue but was unsuccessful.

Seddiq Ahmad Zada, spokesperson for Tolo TV told Media Watch “this is not the first time that our reporters have been beaten and threatened; such events have happened many times in the past too.” Ahmad Zada claimed that government authorities are ignoring these issues when they are reported. Tolo TV contacted the Ministries of Interior and Culture and Youths Affairs and other relevant agencies many times and submitted official letters to them, but such letters haven’t been responded to so far.

In a press release by Saad Mohseni, the General Director of Tolo TV and Arman Radio, on the 29th May 2006 [8th of Jawza] he stated that “saboteurs and criminals should not be permitted to hinder media or media staff, or to beat or intimidate them.”

Yusof Stanizai, spokesperson for the Ministry of Interior, condemned the beating of reporters, and said that such actions were a violation of the law and that the Ministry of Interior had started investigations into the case and would seriously follow up on it.

Rahimullah Samander, chairperson of Afghanistan Independent Journalists Association, condemned the beating of reporters in a press conference and said that it demonstrated there were no satisfying security conditions in Afghanistan, specifically for reporters. Samander said the cause of insecurity was the presence of weapons with irresponsible persons.

It is worth mentioning that two months ago, a Tolo TV cameraman was beaten by one of the members of the lower house of Parliament, Khial Mohammad Hussaini, a representative of Ghazni province. (See Media Watch report #12)

2. Cameraman of Ariana TV killed in suicide explosion in Qandahar city

On the 22nd July 2006 [31st of Saratan 1385], a cameraman of the private television network, Ariana TV, was killed while reporting in Mirwais Mena of Kandahar city due to a suicide explosion.

A 5.30pm on 22nd July, a suicide bomber detonated an explosion killing two coalition forces soldiers and injury of eight others. Half an hour later, another suicide bombing occurred, in the same area targeting people engaged in transporting bodies and the injured. According to state officers, ten civilians were killed and around 25 people were injured.

Abdul Jamil Sapand, a reporter of Ariana TV, who was present at the scene of the second explosion, told Media Watch “after the first explosion, we arrived at the scene without delay and gathered the necessary information and then we wanted to go the hospital and get some information on the condition of the injured. But when we approached our vehicle, there was another suicide attack as a result of which our cameraman got severely injured.” According to Sapand, the cameraman sustained burn injuries to his body and shrapnel injuries to his head. Sapand added that they took Abdul Qudoos to the hospital but he died half an hour after admission to the hospital.

Abdul Ghani Mudaqeq, head of the News Section of Ariana TV in Kabul, expressed great sadness at the loss of Abdul Qudoos. He told media watch that Mr Qudoos, was a hardworking and active employee and had contributed significantly to their Kandahar operations.

Abdul Qudoos, the cameraman for Ariana TV had been a resident of Helmand Province and had most recently been living in Kandahar.

Praying ceremonies for Abdul Qudoos Hand were conducted in various provinces of the country, including Kabul, Kandahar, Khost, Mazar-e- Sharif, and some other provinces by different people and organizations, from media, to NGO’s and government agencies such as Ariana TV, the Bayat Foundation, Ministry of Culture and Youths Affairs, Faculty of Journalism of Kabul University, Committee for defending Journalists, Nai Agency, and the Independent Association of Reporters in Afghanistan.

In a completely separate incident, an Ariana TV vehicle was damaged on the 31st July 2006 [9th of Asad 1385] in Jalabad City when an explosion occurred adjacent to the car. This explosion occurred during the prayer ceremony in the city for Maulawi (religious

scholar) Mohammad Yunos Khalis, a Mujahideen leader. Five people were killed and many more were injured.

3. Reporter of Azadi Radio threatened in Helmand by the Governor

On the 13th July 2006 [22nd of Saratan 1385], a number of news reports published by a range of media outlets, including Azadi Radio, claimed approximately 100 persons had been killed in Nawzad District of Helmand Province due Coalition Forces (CF) combat activities. However the Governor of Helmand claimed that only 19 people were killed by CF combat activity, all of whom were Taliban.

On the 14th July, the Governor of Helmand, Eng. Mohammad Daud, summoned Salih Mohammad Salih, a reporter for Azadi Radio, and asked him why an incorrect report had been aired concerning the number of casualties in the CF activities.

Salih said “I told him that the message was provided by a spokesperson of Coalition Forces in Helmand province through his translator, Zalmai, to the media and that I hadn’t said any thing from my own.” Mr. Salih added, “after that, the Governor asked the spokesperson of Coalition Forces, Captain Drew and his translator, to come to the office of the Governor. The spokesperson for Coalition Forces confirmed that they had sent the message to a BBC reporter. Salih Mohammad added “then, the governor of Helmand put me under pressure and said they had submitted the report to the BBC reporter ‘but why did you air it?’, and he put me in jail for one hour.” Salih said he was humiliated and offended and in addition was accused of having links with the Taliban.

Salih said during this meeting, the Governor kept stressing that he didn’t have the right to obtain information from a source other than the State. However Article 6 of the Afghanistan Media Law provides that *‘journalists shall enjoy legal support in the conduct of their related professional activities including [development of] reports that critical analysis and commentary’*.

In addition, another paragraph of the same Article provides that *‘Journalists shall have the right to refrain from disclosing the sources of their information, unless the authorized court has ordered a disclosure thereof’*.

Regardless of the provisions of the above Article, Salih argues that the Governor of Helmand forced the reporter of Azadi Radio to reveal the source and imprisoned him for an hour without good reason.

Salih said “they released me from prison after the reporter of BBC world service, told the Governor that if he didn’t set me free, he will report the imprisonment of a reporter by the governor of Helmand”.

The spokesman for the Governor of Helmand, Haji Muhaideen Khan, confirmed the existence of problems between reporters and the Governor of Helmand and added that it was natural that a person who lives and works in a community will face some problems, adding “it is not worth to follow and magnify the case.” Haji Muhaideen also said that since the problem is solved now, its further publication should be prevented.

Media Watch discussed the problems of reporters in Helmand Province with the Deputy Minister for Publications, Ministry of Culture and Youth Affairs, Deen Mohammad Mobariz Rashedi. He expressed no awareness of the existence of such problems and added that no one, including a Governor, has the right to imprison, threaten, or offend a reporter or force him/her to obtain information from a legitimate source.

Media Watch also contacted the office of the spokesperson for the Ministry of Interior concerning the issue, where they also stated they were unaware of such problems and that if a reporter or any other individual faces obstacles such as those outlined above, they should contact the Complaints Hearing Section of the Ministry of Interior.

4. The Department for Vice and Virtue (*Amer ba Maroof wa Nahi az Munkar*) established

After more than four years after the fall of the Taliban, the Department for Vice and Virtue is being re-established. On 6 June 2006 [16th of Jawza] members of the Council of Religious Scholars requested the President of Afghanistan establish an entity under the title of Vice and Virtue. The request was accepted by the President and a number of scholars under the chairmanship of Fazel Hadi Sheenwari, previously the Chief Justice of the Supreme Court and Head of the Council of Afghan [religious] Sholars. Sheenwari was charged with establishing this entity within the framework of the Ministry of Hajj and Religious Affairs (MHRA).

Judge Sulaiman Hamed, Deputy Minister for Ideological Affairs, MHRA says “ordering good deeds and preventing vices is one of the pillars of Islam, and pursuant to orders of Quran, there shall be a group within the Islamic Society which invites people to do good deeds and prevents them from committing vices. Since presently Afghanistan is an Islamic State and the matter is mentioned in the constitution, the leadership of Afghanistan decided to create an organ within MHRA to take action accordingly.”

Suleiman Hamid added “the Department for Vice and Virtue is not a new structure. It has been present throughout history during Islamic Governments and in Afghanistan too such an entity was functioning. For example, during the reign of [King] Mohammad Zahir, there was an entity within the supreme court called Ihtesab [accountability] which exercised the same function.” According to the Deputy for Ideological Affairs, MHRA, they intend to recruit professionals with high education levels, who should be able to make good judgements and be effective in encouraging people to do good deeds and prohibit them from partaking in vices.

Simultaneous with the publication of this message, some actors in the field of media expressed concern about the establishment of the Department for Vice and Virtue and have said it was possible that the commencement of work by this Department will result in restrictions on the media. Sayed Aqa Hussaini Sancharaki, head of the National Union of Journalists of Afghanistan said in an interview with the Media Watch “in as much as this entity is established at the request of the Council of [religious] Scholars, which deem the broadcasting by most of private media outlets, especially the visual outlets, as against the principles of Sharia [Islamic Jurisprudence], it is assumed that one of the principle functions of the Department will be limiting the work of media outlets. I think the first

goal of this Department will be to collide against media, especially visual media outlets.” According to Sancharaki, the Council of Scholars had a number of times reproved and asked for the termination of such broadcastings. (In media watch reports numbers 4, 5, and 7, detailed information has been presented in this regard.)

Conversely, the Deputy for Ideological Affairs, MHRA, Judge Suleiman Hamid, said the concerns of the media were unjustified and added “in Afghanistan, there is a media law and the authorities for the Department of Vice and Virtue will take action where they encounter violations of this law by media outlets [audio, video or print], and will take the relevant media to court.”

According to the deputy of the MHRA, another field of work of the Department will be to combat propaganda launched against Islam. He stated “pursuant to the law approved by the cabinet and the national assembly, one of the duties of the MHRA is to prevent anti-religious [anti Islamic] propaganda. Prevention does not mean creation of another government within the government. It means that we will take action in coordination with other relevant and responsible organs such as the police, and judicial and justice authorities to prevent those who trespass the limits determined by law.”

In the media, the establishment of the Department for Vice and Virtue is mostly pronounced as the creation of religious police. But according to the deputy minister MHRA, this is not a police organization but a professional religious entity which invites people to do good deeds and bans them from indulging in vices. He added that the department that was going to be established would be different from the one that existed during the Taliban’s government and the rough methods applied by them [the Taliban] in their duties will no longer exist.

It is too early to decide what problems the Department will create against the operation of media. But with an evaluation of the background of the General Religious Scholars Council there is a risk that the visual media may gain significant attention from this new entity.

5. Media face obstacles in Daikundi province

Media outlets in Daikundi Province claim that whenever a news message or report is published/broadcast through a radio or print media that is not favored by State Organs, or that criticizes them, the Chief Editor/Manager of the media outlet is threatened and imprisoned.

Mohammad Reja, manager of Neeli Radio and Chief Editor of Daikundi weekly reported in an interview with Media Watch that during the previous month, he was summoned many times to the Police Headquarters of Daikundi, was intimidated by the ex-police chief, Habibullah Ahmadi (since dismissed) and was even imprisoned for a short term. Reja said “they put me in jail because our radio broadcast a satirical song. The song was sung by Ali Shahrestani and accused (allusively) the state departments of inadequacy of work and attention in the discharge of their duties.”

In addition, the chief editor of another non governmental publication, who did not want his name disclosed, has complained of similar limitations “previously, I would mostly

write stories about cases of coercion and illegal acts conducted by state authorities and would present the [evidentiary] documents therefore. However, upon pressure and intimidation by the previous governor of Daikundi, I had to stop the publication for some time.”

The Deputy Minister for Publications, Ministry of Culture and Youth affairs, Din Mohammad Mobariz Rashidi confirmed, in an interview with the Media Watch, the existence of problems for media outlets in Daikundi Province and added, “State authorities do not have any right to limit and prescribe [the work of?] media . Pursuant to Media Law, journalists have the right to have access to information and State authorities don’t have the right to unjustifiably hinder the work of journalists.” Mobarez added that we earnestly request all entities, whether related to the State or otherwise, to provide information sincerely and amicably to journalists.”

The office of the spokesperson for the Ministry of Interior stated it was not aware of this issue in Daikundi, and declared that there had been no complaint as of yet, however they promised to follow the issue and where such cases do exist, they will take action to resolve them.

It is worth noting that the new chief of police in Daikundi, Mohammad Ali Rezai, said in an interview with Media Watch “I am not aware of the conduct with media in the past. However, from now on, media outlets in Daikundi will not be controlled by the police.”

6. Pajhwok News Agency reporter robbed in Nemroz Province.

On 6th of Saratan, 1385 [27, Jun, 06], the vehicle transporting Abdullah Ilham, a reporter for Pajhwok News Agency in Nimroz Province, from his duty point to Kandahar, was stopped by gunmen in Jawzmadad area of Maiwand District, Kandahar Province and all his equipment and private possessions were stolen.

Ilham told Media Watch “the vehicle carrying us was stopped by gunmen wearing local clothes, and was diverted many kilometers to the right of the road, all the passengers of the vehicle were forced out of the vehicle and one of the robbers stood in front of me and put his hand in my pockets and placed all the contents [of my pockets] in his towel. In the same manner, the pockets of other passengers of the vehicle were emptied one after another.” Ilham said those that resisted the robbers or exchanged reasons were beaten to the extent that all their clothes were smeared with blood. Ilham added “the robbers even took away the cold water that we had”.

It is worth mentioning that in recent months, the security situation of the southern and southwestern Afghanistan has increasingly been deteriorating which has affected the mobility of media in these areas.

7. Three Journalist Unions merged under the title of Afghanistan’s National Union of Journalists

One of the main changes in the field of journalism in the month of July 2006 has been the merger of 3 journalist associations into Afghanistan’s National Union of Journalists (ANUJ). The three associations were previously known as Afghanistan’s General Union

of Journalists under the chairmanship of Hamid Noori, the Free Journalist Union of Afghanistan, under the chairmanship of Hamid Hamy, and the National Union of Afghan Journalists, under the chairmanship of Professor Mahmood Habibi.

Preparatory work for the merger started on the 1st of July, 2006. The heads of the three unions announced their readiness to join the ANUJ Union through letters endorsed by members of their leadership committees. The administrative and executive board of the ANUJ convened a meeting and, on July 20th, declared its agreement to the merger of the above mentioned unions.

On July 27th members of the executive boards of the three unions and more than 20 prominent journalists of Afghanistan, held a joint meeting to discuss this merger and the creation of an integrated entity. As a consequence they decided that during the next meeting on the 4th of August, an executive board composed of the leaders of the three unions and freelance and non member journalists would be formed. The board should facilitate the General Assembly or General Congress of the union within the next 6 months and the president, deputies, and organizational structure be designated through free and transparent elections.

According to Sayed Aqa Hussain Sancharaki, the interim head of the National Union of Journalists, the purpose of establishing the ANUJ is to create a stronger and larger union structure, to do more efficient work serving the fledgling journalism of Afghanistan. The union aims to build the professional capacity of journalists, as well as bring journalists from across the country together to share skills, technology, and methods of journalism. In addition the ANUJ will define and promote professional principles of journalism, and help journalists understand their responsibilities and the dimensions of their professional duties.

Meanwhile, some of the members of the National Union of Journalists (NUJ) declared their opposition to the merger through issuance of a declaration on 5th August 2006 [14th of Asad, 1385]. However according to Sancharaki, the interim president of the NUJ, one of its founding members, stated that of 11 founding members, 9 of them including the president of the union, in whose name the union is registered, have agreed to the merger. The only two who are not in agreement with the merger are Hafizullah Barekzai and Dr Sabaoon.

Said Aqa Sancharaki said they intend to commence the printing of a 20 page monthly journal under the title of *The Journalist* in Dari, Pashto and English. It is worth noting that another union named Afghanistan Independent Journalists Association (AIJA) under the chairmanship of Rahimullah Samander also exists, and is separate to the ANUJ.

8. Journalist Support Fund established

A journalist support fund was established by the Acting Minister for Culture and Youths Affairs on 2 July 2006 [11, Saratan, 1385].

The fund, managed by a supreme council composed of 10 individuals, will oversee donations and determine 'journalists in need' for allocation of spending. According to Din Mohammad Mobariz Rashidi, Deputy Minister for Publications, Ministry of Culture

and Youth Affairs, and a member of the supreme council for the fund, it will be a 'welfare' fund and the supreme council will be governed by an independent structure. This fund is created acknowledging hardships faced by journalists conducting their everyday duties.

So far USD\$5000 has been donated to the support fund by local businessmen and wealthy families interested in media and journalists. This amount will be deposited to a bank account to be opened in Kabul Bank.

Concerning the conditions under which journalists will be eligible to receive assistance from the fund, Din Mohammad Mobariz Rashidi, Deputy Minister of Publications, Ministry of Information, Culture and Tourism says "a regulation has been drafted concerning the affairs related to this fund, pursuant to which the persons eligible of receiving assistance will be determined. For example, if a person has a disease which is difficult to treat or if a person's close relative passes away, such a person will be eligible for receiving assistance." Mr. Rashedi said the work is proceeding to develop the Regulation.

It is worth noting that approximately 2500 journalists are working through out Afghanistan.

9. In depth journalism workshops run by Afghan Media Development Agencies.

A two week workshop on Investigative journalism was convened by CIJ in Kunduz City on the 18th July 2006 [27, Saratan, 1385] for journalists in the northeastern zone.

In this workshop, 30 individuals from the provinces of the northeast including Kunduz, Takhar, Badakhshan, and Samangan participated. During the workshop, the methods for indepth research into a topic were taught and journalists were instructed to practically develop such reports upon choosing different subjects.

Rahmatullah Hamnawa, a reporter for Radio Salam Watandar in Kunduz Province and a participant in the workshop, said the workshop was useful and added that convening such workshops was very necessary for upgrading the quality of journalists in Afghanistan.

Meanwhile, another similar workshop for 22 journalists of the eastern zone, namely Kunar, Nooerstan, Laghman and Nengrahar provinces, was held in Jalalabad City.

In addition on the 2nd July 2006 [18, Dalwa, 1384], Nai convened a training session for Investigative journalism in which 25 journalists located in Kabul attended.

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Nai- Supporting Afghanistan Open Media

Media Watch Report

Journalism Freedom Report # 15

Azizullah Habibi
Media analyst

Freedom of expression in Afghanistan has been enshrined through the constitution and most recently through a new media law, however freedom of expression for the media of Afghanistan remains elusive as journalists and outlets continue to receive threats and intimidation on a daily basis from a range of social and political agencies.

Yet despite increasing threats against the media, media outlets have continued to grow and develop.

In this report, we have focused on the following matters:

- Abdul Rab Rasool Sayyaf accusations against Tolo Tv and the Independent Commission on Human Rights of triggering demonstrations against him.
- Isteqlal Radio, located in Logar Province, torched.
- Safia Sediqi, Member of Parliament, demanded Tolo TV cameraman be removed from the National Assembly hall.
- An open letter sent by the Organization of Reporters Without Borders (RSF) to the President of Afghanistan
- BBC Pashto reporter in Khost province is held up and has his vehicle, equipment and cash stolen.
- Launch of new private television channel, Lemar.
- National TV in Samangan Province and local TV in Nengrahar expand their audience reach through Satellite.
- A reporter of Pazhwak News Agency obtained a Letter of Commendation from the Independent Commission on Human Rights (AIHRC).
- Training workshop on Copy Right Law held by the National TV and ABU

1. Abdul Rab Rasool Sayyaf accused Tolo TV and AIHRC of triggering demonstrations against him.

Abdul Rab Rasool Sayyaf, one of Kabul's elected representatives in the National Assembly, accused Tolo TV and the Independent Human Rights Commission (AIHRC) in a public Parliamentary session, on 14 August, 2006 of organizing and planning the latest demonstrations in Paghman District.

Hundreds who were said to be residents of Paghman District of Kabul Province participated in the demonstrations that were launched against Abdul Rab Rasool Sayyaf and a number of his commanders on July 28, 2006. The participants accused Abdul Rab Rasool Sayyaf and a number of his commanders of stealing their land. The demonstrations resulted in the death of two people and injury of two others.

During the demonstrations which were launched on two consecutive days, three employees of Tolo TV were also beaten by unknown persons (the details of which were reported in Media Watch Report # 14).

Even though the agenda for the session dated August 14, 2006 was discussing the Law on Prisons, a number of parliament members put the issue of the Paghman demonstrations and the existence of private jails (imprisonment without trial and unjustified detention of individuals) on the agenda.

Abdul Rab Rasool Sayyaf said "concerning the Paghman demonstrations, I have documents (evidence) that the planning of the demonstrations was undertaken by the AIHRC and Tolo TV. He added that AIHRC had informed some reporters and Tolo TV that there would be a demonstration in Paghman tomorrow". According to Sayyaf "the AIHRC has changed to a conspirator commission". Sayyaf added "I will take everyone (to justice) who is implicated in these traitorous conspiracies". Sayyaf also said that he will declare the names of two employees of the AIHRC who he believed planned the Paghman rallies.

However, some people who participated in the demonstrations of 28 and 29 July, 2006 and who don't want their names to be disclosed said "Abdul Rab Rasool Sayyaf accused Tolo TV and the AIHRC of having a role in the demonstrations against him because he wants to deviate the public opinions from the grabbing of land by the person of Sayyaf and his accomplices." They added, "Sayyaf and a number of his accomplices have grabbed hundreds of Jereeb (A Jereeb= 2000 square meters) of land and there is no one with the power to reclaim the rights of people from Sayyaf".

Media Watch offered Abdul Rab Rasool Sayyaf a right of reply in order to clarify the matter. Media Watch also requested more information from Sayyaf about the documents he claimed to have establishing Tolo TV and AIHRC launched demonstrations against him. Despite repeated and numerous contact, Abdul Rab Rasool Sayyaf refused to be interviewed.

Sediq Ahmad Zada, spokesperson for Tolo TV, rejected the claim made by Abdul Rab Rasool Sayyaf concerning their implication in the demonstrations and added “if Sayyaf has documents (evidence) implicating us in launching these demonstrations, why doesn’t he present them?”

In addition, Fahim Hakim, deputy head of AIHRC said in an interview with the Media Watch Reporter that they had absolutely no role in the initiation of the demonstrations.

According to the deputy head of the Commission, the field monitors of the commission normally supervise the proceedings of demonstrations so that the matter does not end up in violence. However, they never operate in violation of their mandate. According to him if by any chance the employees of the commission had telephoned journalists concerning the rallies, this did not mean the commission had planned or initiated the demonstrations.

Abdul Rab Rasool Sayyaf is one of the Jihad Leaders who was involved in the civil war of the 1990s and presently is a representative of Kabul people in the lower house of the Parliament.

2. Community Radio Station Isteqlal Radio, torched in Logar Province

On August 12, 2006, the local radio station, Isteqlal Radio, located in Barakebarak district of Logar Province, was set ablaze with a petrol bomb in the early hours of the morning. Isteqlal Radio which started broadcasting on 15 April 2004 with the assistance of Internews, was broadcasting valuable local programming for 10 hours every day.

The radio station had no guards and Lal Mohammad, the editor-in-chief, slept in the administration office of the station at night for the security of the equipment. During the night that the station was set on fire, Lal Mohammad also had his son staying at the station.

Lal Mohammad said, “I woke up around 2:30 AM on August 12, 2006 due to the noise of a window breaking and I understood that the studio was burning and smoke was coming out of its windows. After I informed the district authorities by telephone, I tried to protect the equipment that was in the studio, but due to severe flames, I couldn’t save any thing but the power generator located in the kitchen. My hands and legs suffered from burns and therefore I couldn’t try any further to enter the studio and save the radio equipment.”

Nasrullah Stanekzai, Abdul Rab Rasool, from the Law Faculty of Kabul University and the proprietor of Isteqlal Radio said that setting the radio station on fire was the work of domestic and foreign enemies of Afghanistan and added “Radio Isteqlal was set ablaze by those who don’t want public awareness to improve and those who cannot tolerate to see any developmental activities, whether material or moral, in Afghanistan”.

It is worth mentioning that a few days prior to setting the radio station on fire, night letters were distributed in areas of Logar Province, including Barakibarak District, which discussed the invasion of Afghanistan by the west, and warned the people against participating in gatherings which contained music and vices. In addition, the letters contained that listening to music was prohibited in Islam.

Therefore, it is thought that because Isteqlal Radio broadcast news, advertisements, recreational programs and music, the fire may have been related to the night letters distributed a few nights prior to the event.

It is worth mentioning that a proposal for funding to rebuild the radio has been forwarded by Internews agency to donors. So far \$10,000 has been contributed by the National Endowment for Democracy for equipment replacement.

3. Safia Sediqui, MP, demanded Tolo TV cameraman be expelled from the National Assembly hall

On August 16, 2006, Safia Sediqui, representative of Nengrahar in the lower house of Parliament, requested that the cameraman of Tolo TV be expelled from Parliament.

The tension was created when Tolo TV broadcasted clips of Safia Sediqui as if she was sleeping during a public session of the lower house of Parliament. However, Safia Sediqui claims that she was busy reading documents on her table at the time and said that the action of Tolo TV was an insult to her.

Also, a few months ago some pictures of Safia Sediqui were broadcasted by Tolo TV which showed her in a sleeping state. She accepts that she really was sleeping at that time, but she claims that at the later time, she was not asleep.

The remarks of Safia Sediqui were pursued with objections raised by many MPs concerning the programs of Tolo TV as being against the national interests of Afghanistan. Concerning Tolo TV, Mamoor Jabar, an MP from Ghazni, said, "Tolo TV is not Afghan, Tolo TV is not Muslim."

Another MP accused Tolo TV of "enmity with Afghanistan" and alleged that Tolo TV broadcasts programs which are aimed at damaging the political process in Afghanistan. The session of the lower house became tense as heated debate followed around the role and intention of Tolo TV and Parliament. Some MPs argued that Tolo TV was serving the cause of a certain group of MP's and undermining or not representing other MP's fairly. Other MP's began complaining that their photos were not broadcast by Tolo TV intentionally so that the people who elected them would think they were not present in the session, while some were complaining about the content of programs aired by Tolo TV and regarded them as injurious to the culture and traditions of Afghanistan. However, a number of MP's also recognized that if Parliament continues to treat the media with hostility and suspicion and tries to block the media from access to Parliament then this would undermine the reputation and respectability of the democratic institution which is Parliament.

Finally, Mohammad Yunos Qanooni, the speaker of Parliament delivered a speech stating that the media should attempt to present a positive image of the National Assembly, and in order to protect national interests, refrain from broadcasting sensitive issues.

As a consequence some MPs threatened to leave the lower house in protest, but Mohammad Yunus Qanooni declared the session of August 16, 2006 as secret in order to put an end to the tension. This was the second secret meeting of the parliament, the first was held December 2005.

Authorities of Tolo TV rejected the alleged insult to Safia Seddiqui and stated they did not, and had no intention of, insulting Afghan authorities or any MP. Hafiz Asefi, advisor to Tolo TV said “when photos of Ms. Seddiqui aired, which shows her in a state as if she were sleeping, it is not about humiliating her, and in an open society, there is no prohibition to broadcasting such videos. We have not committed any fault under the law.”

After discussing the complaint of Safia Seddiqui against Tolo TV the Commission on Media Complaints and Violations gave Tolo TV the following guidelines, “ In the extraordinary meeting dated August 16, 2006 , which was ordered by the Ministry of Culture and Youth to investigate the complaint filed by Ms. Safia Seddiqui, MP, concerning Tolo TV, the commission held discussions and then decided to strictly advice Tolo TV authorities to avoid and refrain from broadcasting such tense and humiliating shots.”

Media Watch asked Maulawi Mustafa, the interim chairman of the Commission, what constituted a written warning to Tolo TV. He said “in as far as Afghanistan is a country of traditions and customs and Tolo TV is broadcast all over the world and the broadcast of such videos causes a dishonor to all people of Afghanistan on one hand, and causes tension on the other, we wrote an advice to them.”

But according to Sediq Ahmad Zada, a spokesman for Tolo TV, the advice sent by the Commission on Media Complaints and Violations was biased and Tolo TV did not recognize it. Safia Seddiqui also regarded the advice of the Commission as inadequate and said that she will continue to pursue the issue.

It is worth mentioning that Article 33.2 of the Media Law states that “it is not permissible to disseminate matters which are slanderous or insulting to persons.” But it has not been clarified what are considered as slanderous or insulting to persons.

Media Watch is concerned that restrictions on the media in the lower house undermines the principles of democracy that need to be upheld by the Parliament. One of the most important roles of the independent media is to enable the people of Afghanistan to have access to the democratic decision making processes and this very important sphere for public debate. Parliamentary debate should be accessible to the people so they can see and understand how their elected MP’s are representing their interests, Parliamentarians need to be accountable to their electorate.

4. Reporters Without Borders writes an open letter to the President of Afghanistan

On 17th Aug, 2006, an open letter was submitted by RSF to Hamid Karzai, the president of Afghanistan.

In the letter, the deteriorating security situation of journalists and media in Afghanistan in the recent weeks has been noted and the President of the State has been asked to take concrete and prompt steps to improve the situation.

The letter mentions the burning of Isteqlal Radio station and the amount of damage incurred. Also, it notes the request to expel media from the Hall of the National Assembly on August 16, 2006 as well as the imprisonment of Abdul Qudoos, reporter of Sulha [peace] Radio, located in Jabaluseraj District of Parwan Province.

Abdul Qudoos was detained on 14 February , 2006 by a police officer on suspicion of being involved in an attack against Samea Sadat, an MP from Parwan. This incident occurred while Qudoos was undertaking journalism training with media development agency *Nai- Supporting Afghanistan Open Media*. Abdul Qudoos has remained in prison with no criminal charges brought against him. As outlined in Media Watch Report # 10, the detention of Abdul Qudoos was not legitimate under any laws of Afghanistan. UNAMA, with the cooperation of AIHRC have hired a defense lawyer for Abdul Qudoos. Hayatullah Hayat will defend Abdul Qudoos when/if the case goes to trial.

The open letter also mentioned the beating of Kamal Sadat, a reporter for BBC Pashto, and the theft of his reporting equipment and car, in Khost province. (Further details of the event are included in Article # 4 of this report.)

While Media Watch and most journalists support this letter whole heartedly and the recognition of increasing and unlawful threats against the media, we would like to put on record that there are a number of errors in the letter. For example, the location that Abdul was trained in reporting was said to be Internews, while he actually was being trained by *Nai- Supporting Afghanistan Open Media*.

Concerning Isteqlal Radio, the letter says that “on 11th of August, a group of armed men attacked the Isteqlal Radio Station in Logar Province and set it on fire causing damage costing 50,000 USD to the Radio”. The Committee for Defending Journalists chaired by Rahimullah Samandar, who is also the head of Free Journalist Association, has been quoted as saying, “Many copies of The Holy Quran and night letters were discovered in the area close to the location of the fire.”

However, according to Lal Mohammad, editor-in-chief of Isteqlal Radio, this is not an accurate reflection of events. He stated that no one knows who set the station on fire, and whether they were armed or not, the fire bomb was thrown in through the window, no people were seen carrying out this arson. Secondly, the night letters were distributed some nights before 11th of August, and a direct connection with the night letters and the fire at the radio station has not yet been established. The mentioned copies of the Holy

Quran were said to be owned by the staff of Isteqlal Radio and not necessarily related to the night letters found at the scene.

Two days after the submission of the letter, on the August 19, 2006, (which is also the 87th Anniversary of the Day of Independence from the British Empire), in a speech to the nation, the President, Hamid Karzai, talked about freedom of expression within and outside the media. Karzai emphasized the principle that the State is obliged to ensure freedom of expression for the mass media, rejecting any accusations that the government had imposed any limitations or restrictions on the media or journalists. He added “disseminating news full of fabrication, defamation and mischief is not regarded as freedom of expression. Media should concentrate on their historical and national mission which is provision of sound information to the citizens, rather than creating tension, adventurism and dissemination of discouraging and untrue messages... concerning the need to ensure balance and the principle of countering terrorism”. He stated that “defamation, slander and trespassing the limits of personality has no relation to freedom of expression.”

Karzai also referred to compliance with religious customs saying “our media must respect the customs and religious and cultural values of the people of Afghanistan. Freedom of media does not mean a freedom of immorality and promoting the culture of obscenity.”

Media affairs experts have since commented on the speech of the President. Sayed Aqa Hussain Sancharaki, chairman of The National Union of Journalists in Afghanistan said “using harsh and improper words such as mischief making, defamation and others are not suitable for a president of the State. The speech of a president of State on independence days and on days of honoring pioneers are about freedom and reforms and about remembrance of heroes and symbols of new thoughts and freedom during the last century of Afghanistan’s history. From each and every sentence of his speech, one can smell absolutism and opposition to freedom of media.” Sancharaki added that it would be better if the President of the State, on a day celebrating Afghanistan’s independence, “praised the courage, endeavors, and struggles of young, brave and motivated reporters who put their lives in danger to find facts and undergo thousands of difficulties and distresses to reflect the present issues in Afghanistan. Instead the President criticized the media; rather than highlight examples of outstanding journalism he chose to focus on the negative comments made in recent months.”

5. BBC Pashto reporter in Khost province is attacked and robbed of his car, reporting equipment and cash.

On August 13, 2006, Kamal Sadat, the local reporter of BBC Pashto in Khost Province was attacked by unknown persons while he was on his way to Khost City after having completed an interview in Alisher District of Khost Province. After the attack, they tied his hands and feet together and left him in a corn field. His private car, reporting equipment (two telephone sets, a digital camera) and cash were stolen.

According to Eng. Mohammad Anwar, one of Kamal Sadat’s family members, when Kamal Sadat returned home, it was clear he had been severely beaten.

In an interview with Media Watch, Mohammad Ayub, chief of police in Khost Province said, “after we were informed of the event, we started our search for the bandits. We found the car of Kamal Sadat in an area close to the border between Afghanistan and Pakistan which had broken down due to technical problems, but there was no information about the bandits or other goods of Kamal Sadat. We are trying to arrest the bandits and find the stolen equipment of Kamal Sadat”. The Chief of Police added that based on intelligence information received, he is hopeful an arrest will happen soon.

It is worth noting that one of Pazhwak News Agency’s reporters, Abdullah Ilham, was also attacked by robbers in Kandahar Province. (The details of this attack can be found in Media Watch Report # 14.)

6. Private television channel, Lemar, starts broadcasting

On August 19, 2006, the test transmission of private television channel, Lemar, was inaugurated with the recitation of a few verses from the Holy Quran. Afterwards, a broadcaster, named Mujahid Kakar emerged on the TV screen and said they will broadcast in accordance with the Constitution and Media law.

The proprietor of Lemar TV, is Saad Mohseni, who is also the proprietor of Tolo TV. According to Sediq Ahmad, a spokesman for Lemar and Tolo TV, most of Lemar TV broadcasting will be in Pashto with a smaller percentage in Dari, Urdu and English . The contents of the programs will be news and politics relying less on recreational programs.

Sediq Ahmadzada added “the purpose of establishing Lemar TV is to fill the gaps we had in Tolo TV which means that, in as far as most of Tolo TV broadcasts are in Dari, the leadership of Tolo TV decided to enter the Pashtun market by establishing Lemar TV.”

Sediq Ahmadzada added that another objective of Lemar TV was offer an alternative to Khyber TV. Khyber TV is based in Peshawar, NWFP, Pakistan, in frontier Pashtoon dominated areas of the Afghanistan. He added “Khyber TV, which reaches the southern Pashtoon dominated areas, has influenced people and we will counter [Khyber TV influence] by providing more interesting and better programs.”

According to Sediq Ahmadzada, Lemar TV is currently only available in Kabul City but there are plans to expand the broadcast in the provinces in the near future.

Lemar TV is the 7th TV channel that has commenced operating in Kabul. Previously Tolo, Afghan, Ayeena, Ariana, Shamshad and the National TV stations have had transmissions in Kabul and provinces.

Media Watch has been informed that three channels will start broadcasting in three provinces of the country: Hewad TV in Kandahar, Saqee TV in Herat, and Shayeq TV in Jalalabad City of Nengahar Province.

7. National TV in Samangan upgrades its transmitter

With the assistance of the Indian Government the broadcast area of State TV in Samangan Province has been extended by another 50 Kilometers.

The new expanded station which started operations on August 10, 2006, has been made in Italy with the total cost of installation and erection, 100,000 USD paid through a grant from the Indian Government to Afghanistan.

Nahendra Sengh Raana (an engineer of Becil Company, India) has been responsible for erecting and installing the station. In an interview with Pajhwok News Agency he said that the station has a power of 200 watts and can cover Aibak City and its surrounding villages, with a radius of 50 kilometers.

According to Raana, the mentioned station is equipped with a modern system, the installation of which took one month, and is one of 24 TV transmitters that the India Government has donated to Afghanistan.

Engineer Najmudeen, technical manager of the local TV station in Samangan said the previous station commenced transmission in early 1999 with a transmission power of 100 watts and a coverage radius of 10 kilometers. This station has now lost its transmission quality due to over usage.

The local TV station in Samangan transmits 6 hours of programming per day which, in addition to the broadcasts of the National Television of Afghanistan, develops, reports and airs programs.

In Aibak City of Samangan Province, in addition to the National TV network, Ariana and Ayena TV are also available.

8. Local TV in Nengrahar extend their audience through satellite technology.

Nengrahar local TV station produces 2 hours per day of broadcasting and on the 9th August 2006 this programming was also launched through Satellite reaching a much larger audience.

Mohammad Hashim Ghamshareek, director of Culture and Youth Affairs in Nengrahar Province told Media Watch that the local TV station of Nengrahar was now able to broadcast via satellite as part of a Government of India development program investing US\$1.5 million into Afghanistan. He added that due to the use of this new technology, Nengrahar TV will be accessible throughout Afghanistan as well as 41 other countries worldwide.

Partab Singh, General Consul of India in Jalalabad, said the purpose of his country's donation was to further develop media in Afghanistan.

Nengrahar Radio and TV station commenced transmissions in 1984.

9. Pajhwok News Agency reporter received a Letter of Commendation from the AIHRC

On August 16, 2006, Sher Mohammad Jahish, a reporter of Pajhwok News Agency in Baghlan Province, received a letter of commendation from AIHRC for his bravery while investigating reports of a private prison.

The letter of commendation was granted to Sher Mohammad Jahish in a ceremony convened in Pul-e-Khumree City of Baghlan Province, in which a number of relevant authorities and journalists had participated.

The Letter of Commendation which was submitted by the North Eastern Zonal Office of the AIHRC in Kunduz Province to the Directorate of Culture and Youth in Baghlan Province, stated “AIHRC appreciates the inexhaustible endeavors by Shir Mohammad Jahish, reporter for Pajhwok News Agency, who has always reflected facts with integrity, and hereby commends his bravery and boldness and wish him all the more success”

When interviewed Mr. Jahish told Pajhwok News Agency that he received a message concerning the existence of a private prison in Pul-e-Khumree City. According to the message, a Commander of a Battalion in 2nd Northern Highway Brigade imprisoned an 18 year old man, Abdul Waheed, for 7 days in a shipping container on the Brigade compound due to a dispute over a personal business deal between the two men.

After Mr Jahish brought this news to people’s attention, the man was released from prison. The Brigade has recently been removed [dissolved] from the organizational structure of the State.

Shir Mohammad Jahish’s bravery has further been tested by receiving threats from local government authorities and commanders, the details of which can be found in Media Watch Report # 9.

10. Training workshop on Copy Right held by the National TV and ABU

A work shop entitled ‘Copyrights’ was convened by the National TV department in cooperation with Association of Asia Pacific Broadcasters (ABU) on 24 to 25 August, 2006 in the Hall of Radio Afghanistan.

The work shop was facilitated by Mr Fernand Alberto, a lawyer from the Phillipines, who is a legal representative of ABU. Around 60 writers and reporters from a range of media organizations participated. The workshop covered definitions of copyright and also practical applications of copyright laws. Alberto gave examples of the kinds of circumstances in which copyright law should be applied, answering questions from participants throughout.

According to Mr Alberto, the purpose of convening the workshop was to raise public awareness in matters related to international conventions and laws on copyright.

In his concluding speech, Najib Roshan, Directorate General of National Radio and TV, said “I hope that with the formulation of a copyright law in Afghanistan, our country will be included in the list of countries complying with the copyright rules.” He added “we convened such a workshop for the first time, but we are not observing such rights and are included in the list of those thieves who transgress the rights of others”.

Roshan added that, prior to preparation of a copyright law for Afghanistan, they were trying to go through a phase of illumination by launching such workshops and seminars so that the media community can gradually begin to understand and observe the rights of ownership of published materials. He said they hoped through public education on this issue copyright issues will be on the social conscience and everyone will comply with the principles and requirements of a such a law.

There have been some endeavors in the past to introduce laws relating to copyright. For example on the 20th, August 2005, the Independent NRTA Commission issued a set of rules on “copy rights of products of the national Radio and Television of Afghanistan”. Letters were sent to all radio and TV stations in Afghanistan stating that all media organisations were required to refrain from transmitting any material produced by the National Radio and Television agency without their permission. The rules contained three chapters and 21 articles and covered films, music, songs, drama, comic shows, documentaries, artistic films, literature, training, political, cultural, social, imaginary and news related films or audio materials.

The rules stated that all private and independent radio and TV stations shall either refrain from broadcasting these materials or pay a fee to the State owned TV and Radio Broadcaster.

Sediq Ahmadzada, a spokesman for Tolo TV said at this time the copyright law might be useful but insisted that the Independent Commission was not authorized to impose such a law. It is interesting to note that under the media law, the Commission has not been delegated such a function. (A more detailed report on these rules can be found in Media Watch Report # 8.)

The formulation of a copyright law is seen as a positive step by media organizations within Afghanistan.

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تی حمایت کننده رسانه های آزاد افغانستان
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نی - حمایت کننده رسانه های آزاد در افغانستان

دیدبان رسانه ها

گزارش پانزدهم آزادی ژورنالیزم در افغانستان

عزیزا ... حبیبی

تحلیلگر و مسئول دیده بان رسانه ها

گزارشگر دیده بان رسانه ها در گزارش چهاردهم برخی از مشکلات رسانه ها را بررسی نموده است، اما بعد از پنج سال که آزادی بیان در افغانستان بصورت عملی و قانونی تسجیل گردیده است کار رسانه بی و اطلاع رسانی با چالش های جدی مواجه است.

همراه با فعالیت خرابکارانه و حوادث انتحاری و حملات مخالفین دولت، رسانه ها و خبرنگاران بیشتر از هر ارگان ها و کارکنان این ارگان ها مورد تهدید قرار دارند. از جانب دیگر گزارشگران به عناوین مختلف توسط افراد شامل در دولت و برخی از نمایندگان پارلمان مورد آزار و اذیت قرار داشته که گاه گاهی منجر به لت و کوب آنها شده و حتی گاهی اوقات درخواست می شود تا خبرنگاران از تالار شورای ملی اخراج شوند. اما با وجود حوادث ناگوار کار رسانه بی کماکان به رشد و گسترش خود ادامه میدهد. ما در این گزارش مطالب ذیل را مورد بررسی قرار داده ایم.

- ◀ عبدالرب رسول سیاف تلویزیون طلوع و کمسیون مستقل حقوق بشر را متهم به راه اندازی تظاهرات بر ضد وی کرد.
- ◀ رادیو استقلال که در ولایت لوگر موقعیت دارد از طرف اشخاص ناشناس به آتش کشیده شد.
- ◀ صفیه صدیقی و کیل پارلمان خواهان برون راندن فلمبردار تلویزیون طلوع از تالار ولسی جرگه شد.
- ◀ نامه سرگشاده سازمان ژورنالیستان بدون سرحد به رئیس جمهور افغانستان.
- ◀ راهزنان موتر، وسایل کاری و وجه نقدی خبرنگار بخش پشتوی رادیو بی بی سی در ولایت خوست را مورد دستبرد قرار دادند.

- ◀ تلویزیون خصوصی لمر به نشرات آغاز نمود.
- ◀ ساحه نشراتی تلویزیون ملی در ولایت سمنگان وسعت یافت و نشرات تلویزیون محلی ننگرهار به ستلايت وصل شد.
- ◀ یک خبرنگار آژانس خبری پژواک تحسین نامه از کمیسیون مستقل حقوق بشر افغانستان را به دست آورد.
- ◀ ورکشاپ آموزشی حق نشر (Copy Right) از طرف رادیو تلویزیون ملی و اتحادیه ناشران ممالک آسیا پسیفیک (ABU) برگزار شد.

1. عبدالرب رسول سیاف تلویزیون طلوع و کمیسیون مستقل حقوق بشر را متهم به راه اندازی تظاهرات بر ضد وی کرد:

عبدالرب رسول سیاف وکیل انتخابی کابل درولسی جرگه ، در جریان یک جلسه علنی پارلمان به تاریخ ۲۳ اسد ۱۳۸۵ تلویزیون طلوع و کمیسیون مستقل حقوق بشر را متهم به تنظیم وپلان گذاری تظاهرات اخیر پغمان ساخت.

این تظاهرات با اشتراک صدها تن که گفته می شد از اهالی ولسوالی پغمان ولایت کابل اند علیه عبدالرب رسول سیاف وشماری از قوماندانان وی به تاریخ ۶ اسد ۱۳۸۵ راه اندازی شده بود ، مظاهره چیان عبدالرب رسول سیاف وشماری از قوماندانان وی را به غصب زمین های شان متهم می کردند که این تظاهرات منجر به کشته شدن دو تن و زخمی شدن دوتن دیگر گردیده بود.

در جریان این تظاهرات که دو روز پی درپی انجام شد سه تن از کارمندان تلویزیون طلوع نیز توسط افراد ناشناس لت کوب شده بودند . (که جزئیات آن در گزارش چهاردهم دیده بان رسانه ها به تفصیل آمده است).

گرچه موضوع بحث جلسه مورخ ۲۳ اسد ۱۳۸۵ ولسی جرگه ، قانون محاسب بود، اما توسط شماری از وکلا موضوع تظاهرات پغمان و داشتن زندانهای شخصی وبی سرنوشتی زندانیان در زندانها و توقیف بی مورد افراد نیز مطرح گردید .

عبدالرب رسول سیاف گفت " تظاهراتی که در پغمان صورت گرفته من اسناد دارم که کمیسیون مستقل حقوق بشر و تلویزیون طلوع پلان گذاری این تظاهرات را نموده اند ". وی افزود کمیسیون مستقل حقوق بشر افغانستان از طرف شب به ژورنالیستان جراید و تلویزیون طلوع خبر داده بود که فردا در پغمان مظاهره می شود. به گفته وی ، کمیسیون مستقل حقوق بشر به یک کمیسیون توطئه گر ، تبدیل شده است.

سیاف علاوه کرد "کسانی که در این توطئه های خاینانه دست دارند، همه ی آن ها را کش خواهیم کرد" سیاف همچنان گفت که وی نام دوتن از کارمندان کمیسیون حقوق بشر را اعلام خواهد کرد، که تظاهرات پغمان را پلان گزاری نموده بودند.

اما بعضی از کسانی که در مظاهره مورخ 6 و 7 اسد اشتراک داشتند و نمیخواهند که نام شان افشا شود میگویند " عبدالرب رسول سیاف به این دلیل تلویزیون طلوع و کمیسیون مستقل حقوق بشر را متهم به دست داشتن در ترتیب تظاهرات برضد وی میکند تا اذهان عامه را از غصب زمین های که از طرف شخص سیاف و دیگر همدستانشان صورت گرفته است منحرف سازد" افراد مذکور افزودند "سیاف و چند تن از همدستانش صد ها جریب زمین مردم را غصب نموده اند و هیچ کسی هم نیست تا زورش به عبدالرب رسول سیاف برسد تا حق مردم را دوباره از او بگیرد".

دیده بان رسانه ها برای معلوم شدن موضوع و حفظ توازن در گزارش دیده بان کوشش نمود تا با عبدالرب رسول سیاف در مورد اینکه وی چی اسنادی برای اثبات ادعایش بر علیه تلویزیون طلوع و کمیسیون مستقل حقوق بشر افغانستان دارد و همچنان ادعا های کسانی که بر ضد وی دست به مظاهر زده بودند، مصاحبه نماید اما با تماس های مکرر و زیاد، عبدالرب رسول سیاف حاضر به مصاحبه نشد.

صدیق احمد زاده یکتن از مسئولین تلویزیون طلوع این ادعای عبدالرب رسول سیاف را رد نموده که آنها در راه اندازی این تظاهرات دست داشته اند. احمد زاده افزود " اگر سیاف اسناد داشته باشد که ما در راه اندازی این تظاهرات دست داشتیم چرا آن را ارائه نمی نماید".

همچنان فهیم حکیم معاون کمیسیون مستقل حقوق بشر افغانستان در گفتگویی با دیدبان رسانه ها گفت که آنها قطعاً در راه اندازی این تظاهرات دست نداشته اند.

به قول معاون کمیسیون مستقل حقوق بشر افغانستان، معمولاً ناظرین ساحوی کمیسیون از جریان تظاهرات نظارت می کنند که موضوع به خشونت نیانجامد، اما در فعالیتهای خارج از محدوده ی ماموریت خود فعالیت نمی کنند. به گفته ی موصوف اگر احیاناً کارمندان کمیسیون برای ژورنالستان راجع به تظاهرات تلفون نموده باشند، این بدان معنا نیست که کمیسیون حقوق بشر این مظاهرات را راه اندازی نموده باشد. یا این بدان معنا نیست که کمیسیون حقوق بشر تظاهرات را به راه انداخته باشد.

قابل یاد آور است که عبدالرب رسول سیاف یکی از رهبران جهادی است که در اکثر جنگ های داخلی دهه ی 1990 دست داشته است و در حال حاضر وکیل مردم کابل در ولسی جرگهء شورای ملی میباشد.

2. رادیو استقلال که در ولایت لوگر موقعیت دارد از طرف اشخاص ناشناس به آتش کشیده شد:

به تاریخ ۲۱ اسد ۱۳۸۵ شب هنگام رادیوی محلی استقلال که در ولسوالی برکی برک ولایت لوگر موقعیت دارد از طرف اشخاص ناشناس به آتش کشیده شد. رادیو استقلال که به کمک موسسه ی انترنیوز به تاریخ ۱۵/۰۴/۲۰۰۴ به نشرات خود آغاز نموده بود. و در شبانه روز 10 ساعت نشرات داشت.

باید گفت که رادیوی متذکره محافظ نداشت و لعل محمد مدیر مسول این رادیو شب ها را در دفتر اداری رادیو میخوابید، لعل محمد در شب آتش سوزی نیز در این دفتر با پسرش خواب بود.

به گفته لعل محمد" در حوالی ساعت ۰۲:۳۰ شب تاریخ ۲۱ اسد با صدای شکستن پنجره از خواب بیدار شدم ، و فهمیدم که در استدیو آتش سوزی صورت گرفته و دود از پنجره های آن به بیرون می براید. من بعد از آن که مسئولین ولسوالی را از طریق تلفون در جریان گذاشتم ، کوشش نمودم تا وسایلی را که در داخل استدیو قرار داشت حفظ نمایم ، اما به دلیل آتش سوزی شدید غیر از جنراتور که در آشپزخانه بود نتوانستم چیزی دیگری را از آتش نجات دهم ، زیرا در اثر آتش سوزی شدید دست و پایم سوخت به همین خاطر من دیگر کوشش نکردم تا باز هم برای نجات وسایل رادیو به استدیو داخل شوم.

نصرالله ستانکزی عبدالرب رسول پوهنچی حقوق پوهنتون کابل و صاحب متیاز رادیو استقلال به آتش کشاندن رادیو را کار دشمنان داخلی و خارجی افغانستان خوانده و گفت" رادیو استقلال را کسانی به آتش کشیده اند که نمی خواهند تا سطح آگاهی مردم بالا برود و هر اقدام عمرانی چه از نگاه مادی و چه معنوی در افغانستان را تحمل نمایند".

قابل تذکار است که چند روز قبل از به آتش کشیده شدن رادیو استقلال ، شب نامه ی در مربوطات ولایت لوگر از جمله ولسوالی برکی برک پخش شده بود که در آن از تهاجم غرب به افغانستان صحبت شده و به مردم گوش زد شده است که از اشتراک در محافل که در آن ساز و فحشا موجود باشد خود داری کنند. و همچنان در این اعلامیه آمده است که شنیدن موسیقی حرام است.

بناءً طوری فکر میشود که چون از رادیوی استقلال در پهلوی دیگر مسائل مانند اخبار ، برنامه های تفریحی و اعلانات ، موسیقی نیز به نشر میرسید پس به این اساس میتوان تا جایی سوختاندن رادیویی استقلال را با شب نامه که چند شب قبل از این حادثه به نشر رسیده بود مرتبط دانست.

قابل یاد آوریست که درخواست حمایت مالی برای اعمار مجدد این رادیو از طرف انترنیوز (حمایت کننده رسانه های آزاد در جهان) از موسسات کمک کننده شده است که تا به حال جوابی برای آن بدست نیآمده است.

3. صفیه صدیقی و کیل پارلمان خواهان برون راندن فلمبردار تلویزیون طلوع از تالار ولسی جرگه شد:

به تاریخ ۲۵ اسد ۱۳۸۵ صفیه صدیقی نماینده ی مردم ننگرهار در ولسی جرگه خواهان اخراج فلمبردار تلویزیون طلوع از تالار شورا شد.

این تنش زمانی به وجود آمد که از تلویزیون طلوع تصاویری از صفیه صدیقی به نشر رسید که گویا وی در جریان جلسه علنی ولسی جرگه به خواب رفته است اما صفیه صدیقی ادعا میکند که وی در آن حالت مشغول خواندن اسنادی بر روی میزش بود. خانم صدیقی این عمل تلویزیون طلوع را اهانت به خود خواند. چند ماه قبل نیز تصاویری از صفیه صدیقی که او را در حالت خواب نشان میداد از تلویزیون طلوع به نشر رسیده بود که صفیه صدیقی نیز آن را میپذیرد که در آن زمان واقعاً به خواب رفته بود، اما به ادعای خانم صدیقی در مورد آخر او را خواب نبرده بود.

در ادامه ی این اظهارات صفیه صدیقی ، تعداد زیادی از اعضای ولسی جرگه نیز با اعتراض به برنامه های تلویزیون طلوع آن را خلاف منافع ملی افغانستان توصیف کردند ، مامور جبار وکیل مردم غزنی یکی دیگر از اعضای ولسی جرگه در مورد تلویزیون طلوع گفت "تلویزیون طلوع افغان نیست ، تلویزیون طلوع مسلمان نیست".

نماینده ی دیگری ، تلویزیون طلوع را به "دشمنی با افغانستان" متهم کرد و ادعا کرد که این تلویزیون با پخش برنامه هایی، تلاش دارد به روند جاری افغانستان آسیب برساند. در نتیجه ی بگو مگو های زیاد مجلس ولسی جرگه به تشنج کشانده شد، عده ی از وکلا بر علیه تلویزیون طلوع و عده ای دیگر به طرفداری آن نظر میدادند، بعضی وکلا شکایت داشتند که طلویزیون طلوع در خدمت یک گروه معین میباشد و به دیگر وکلا توجه ندارند، بعضی دیگر از این شاکی بودند که چرا تصاویر آنها از طریق این تلویزیون به نشر نمی رسد تا موکلین آنها آنان را ببینند که در شورا حاضر هستند و عده ی دیگر نیز از محتوای برنامه های این تلویزیون شکایت میکردند و آن را مضر به فرهنگ و عنعنات مردم افغانستان میخواندند. اما عده ی هم این چنین برخورد با یک رسانه را از طرف ولسی جرگه در تضاد با حیثیت و وزن ولسی جرگه اذعان میکردند.

بالاخره محمد یونس قانونی رئیس ولسی جرگه با ایراد نطقی برای رسانه ها به آنها خاطر نشان ساخت تا رسانه ها کوشش کنند نکات مثبت از جلسات ولسی جرگه را نشر نمایند و به خاطر حفظ مصالح ملی از نشر موضوعات تنشزا خود داری ورزند.

به تعقیب آن عده ی از وکلا خواستند به شکل اعتراض تالار را ترک بگویند اما محمد یونس قانونی برای اینکه به این تنش پایان دهد جلسه ی مورخ ۲۵ اسد ۱۳۸۵ را سری اعلان نمود. باید گفت که این اولین جلسه ولسی جرگه از بدو تأسیس آن در ماه قوس سال گذشته بود که به شکل سری و بدون حضور رسانه ها برگزار شد.

مسئولان تلویزیون طلوع ادعای توهین به صفیه صدیقی را رد نموده ابراز داشتند که در برنامه های خود به مقامات افغان و یا وکیلی از ولسی جرگه اهانت ننموده اند، حفیظ آصفی مشاور تلویزیون طلوع میگوید " زمانی که خانم صدیقی گویا خوابش برده بود و تصاویری او از تلویزیون طلوع نشر شد این اهانت به او نیست، در جوامع آزاد نشر همچو تصاویر هیچ مانعی ندارد و ما نظر به قانون هیچ جرمی را مرتکب نشده ایم".

کمیسیون بررسی شکایات و رسیدگی به تخلفات رسانه یی بعد از بررسی ادعای صفیه صدیقی توصیه نامه ی کتبی به تلویزیون طلوع ارسال کرده بود که در آن آمده است "در جلسه فوق العاده مورخ 1385/5/25 بنا بر هدایت مقام وزارت فرهنگ و جوانان مبنی بر شکایت خانم صفیه صدیقی نماینده ی مردم در ولسی جرگه از تلویزیون طلوع، کمیسیون بعد از جر و بحث تصمیم اتخاذ نمودند تا به مسئولین تلویزیون طلوع اکیداً توصیه شود که از نشر همچو صحنه های جنجال بر انگیز و خفت بار خود داری و اجتناب ورزند."

دیده بان رسانه ها از مولوی مصطفی بارکزی رئیس موقت این کمیسیون پرسید که اعضای این کمیسیون به اساس کدام خطای انجام شده توسط تلویزیون طلوع به آن توصیه نمودند، وی گفت "چون افغانستان یک مملکت عنعنوی است و تلویزیون طلوع در تمام جهان نشر شده و پخش چنین تصاویر با عث ریختن آبروی تمام مردم افغانستان میشود و در پهلوی آن با عث ایجاد تشنج شده بود ما توصیه نامه ی به آنها نوشتیم"

اما به گفته ی صدیق احمد زاده یکی از مسئولین تلویزیون طلوع توصیه نامه ی ارسال شده از طرف کمیسیون بررسی شکایات و رسیدگی به تخلفات رسانه یی یک جانبه بوده و تلویزیون طلوع آن را قبول ندارد.

در همین حال صفیه صدیقی نیز توصیه نامه ی کمیسیون را کافی نشمرد و گفت که او باز هم این موضوع را تعقیب خواهد نمود.

قابل تذکار است که در بند دوم ماده ی سی و سوم قانون رسانه های همگانی به شکل عمومی اذعان شده است که "نشر مطالب ذیل در رسانه های همگانی جواز ندارد- مطالبیکه موجب هتک حرمت و افترا به اشخاص گردد". اما این موضوع تصریح نگردیده که کدام موارد موجب هتک حرمت به اشخاص شمرده میشود.

با در نظر داشت مسائل فوق دیده بان رسانه ها به این نتیجه میرسد که چون اصل بر این است تا جلسات ولسی جرگه علنی باشد و به نماینده گی مردم، رسانه ها در این جلسات حضور داشته باشند تا چگونگی تصمیم شورا را

به مردم برسانند، و مردم تشخیص دهند که آیا کسانی که آنها برای شان رای داده اند کاری میکنند و یا خیر، لذا نباید با طرح چنین مسائلی جلو کار اطلاع رسانی و رسانه ئی در افغانستان گرفته شود.

4. سازمان ژورنالیستان بدون سرحد نامهء سر گشادهء را به حامد کرزی رئیس جمهور افغانستان فرستاد:

به تاریخ ۲۶ اسد سال ۱۳۸۵ هجری شمسی که برابر میشود به ۱۷ اگست سال ۲۰۰۶ میلادی نامه ی سر گشاده ی از طرف سازمان ژورنالیستان بدون سرحد RSF عنوانی حامد کرزی رئیس جمهور افغانستان فرستاده شد.

در این نامه از حالت رو به وخامت ژورنالیستان و رسانه های افغانستان در هفته های اخیر یاد آوری شده و از رئیس جمهور خواسته شده است تا با توجه خاص در راستای بهتر شدن آن اقدامات جدی و عاجل نماید.

در نامه ی یاد شده از به آتش کشیده شدن رادیوی محلی استقلال و مقدار خسارات وارده به این رادیو یاد آوری شده است، همچنان در مورد درخواست اخراج رسانه ها از تالار شواری ملی به تاریخ ۲۵ اسد ۱۳۸۵ نیز یاد آوری شده ، در پهلوی آن از زندانی شدن عبدالقدوس خبرنگار رادیو صلح که در ولسوالی جبل السراج ولایت پروان که در شمال کابل موقعیت دارد نیز یاد آوری شده است. عبدالقدوس که به تاریخ ۲۵ دلو ۱۳۸۴ از طرف پلیسی که مربوط قوماندانی امنیه ی ولایت پروان میشدند در حالی که مصروف گذشتاندن دوره ی آموزشی خبرنگاری در موسس ی نی- حمایت کننده ی رسانه های آزاد افغانستان بود به ظن داشتن در حمله به جان سامعه سادات وکیل ولایت پروان در ولسی جرگه بازداشت شد(در این حمله یک تن نگهبان خانم سادات مجروح گردیده بود).

از همان زمان تا به حال عبدالقدوس بدون آنکه اتهام معینی به او وارد شود و قضیه اش در محکمه مورد بررسی قرار گیرد در زندان به سر میبرد.

[قراریکه در گزارش دهم دیده بان رسانه ها نیز تشریح شده است باز داشت عبدالقدوس از همان آغاز غیر قانونی صورت گرفته بود ، قدوس از طرف پولیس ولایت پروان در کابل دستگیر شد در حالیکه به اساس ماده ی ششم و هفتم قانون پولیس افغانستان ، پولیس یک ساحه نمیتواند اقدام به دستگیری بیرون از ساحه معینه ی خود کند مگر در صورت تحقق حالات خاص، که در مورد عبدالقدوس هیچ کدام از حالات پیش بینی شده در قانون تحقق نیافته بود.]

(قابل یاد آوری است که در این اوآخر دفتر نماینده گی خاص سازمان ملل متحد UNAMA به همکاری کمیسیون مستقل حقوق بشر افغانستان وکیل مدافعی برای عبدالقدوس استخدام نموده که حیات الله حیات نام دارد و قرار است در محکمه که در آینده های نزدیک دایر خواهد شد از وی دفاع کند.)

همچنان در این نامه در پهلوی موضوعات یاد شده ی فوق از لت و کوب و به سرقت رفتن وسایل کاری خبرنگاری و موثر شخصی کمال سادات گزارشگر بخش پشتوی رادیو بی بی سی در ولایت خوست نیز ذکر به عمل آمده است. (جزئیات بیشتر این رویداد در مقاله ی چهارم همین گزارش آمده است).

قابل تذکار است که در نامه ی یاد شده بعضی اشتباهات به چشم میخورد مثلاً محل که عبدالقدوس در آن مشغول گذشتاندن دوره ی آموزشی خبرنگاری بود و از آنجا دستگیر شده بود انتر نیوز خوانده شده است در حالیکه عبدالقدوس در موسسه ی نی - حمایت کننده رسانه های آزاد افغانستان مشغول آموزش بود، همچنان اشتباهاتی دیگر نیز در این نامه ی سر گشاده نیز به چشم میخورد.

در مورد رادیو استقلال در این نامه گفته شده است که (به تاریخ ۲۰ اسد که برابر میشود با ۱۱ اگست چند مرد مسلح به رادیو استقلال لوگر حمله ور شده و آن را به آتش کشیدند که در اثر آن 50000 دالر امریکائی به این رادیو خساره وارد شد)، و از کمیته دفاع از ژورنالیستان به ریاست رحیم الله سمندر که در عین حال رئیس انجمن آزاد ژورنالیستان نیز میباشد نقل قول شده است "چندین نسخه قران کریم و شب نامه ها در همان شب در نزدیکی محل آتش سوزی دریافت شده است." این در حالیست که به اساس گفته ی لعل محمد مدیر مسوول رادیو استقلال چنین چیزی اتفاق نیافتاده است، به گفته ی لعل محمد اولاً این معلوم نیست که کسانی که رادیو استقلال را به آتش کشیدند مسلح بودند و یا غیر مسلح و ثانیاً شب نامه که از آن یاد آوری شده است به تاریخ ۱۱ اگست نه، بلکه چند شب قبل از آن پخش شده بود و این ثابت نشده است که شب نامه متذکره ارتباط مستقیم با آتش کشیده شدن رادیو استقلال دارد یا خیر، همچنان نسخه های قران کریم که از آن تذکار به عمل آمده است مربوط کارمندان استیشن رادیو بوده که در داخل استدیو قرار داشتند و در اثر آتش سوزی سوخته بود نه آن که در نزدیکی محل آتش سوزی با شب نامه ها یکجا دریافت شده باشد.

دو روز بعد از انتشار این نامه یعنی ۲۸ اسد هشتاد و هفتمین سالگرد استرداد استقلال کشور از نیروهای انگلیس حامد کرزی رئیس جمهور افغانستان در اعلامیه ی خطاب به ملت در مورد رسانه ها و آزادی بیان نیز صحبت نمود. در بخش پنجم این بیانیه پس از آنکه آقای کرزی بر اصل مکلفیت دولت برای تأمین آزادی بیان در رسانه های جمعی تاکید می کند و آوردن قیودات و محدودیت ها برای فعالیت رسانه ها و خبرنگاران را رد میکند، می افزاید "پخش خبرهای مملو از کذب، افتراء و فتنه انگیزی، آزادی بیان تلقی نمی شود. رسانه ها به جای جنجال برانگیزی، ماجرا آفرینی و پخش خبرهای یأس برانگیز و دور از حقیقت، باید به رسالت تاریخی و میهنی شان که اطلاع دهی سالم به شهروندان است، توجه کنند..." پیام با اشاره به ضرورت رعایت توازن و اصل مبارزه با تروریسم می افزاید "شخصیت کشی، دروغ پراکنی و تجاوز بر حریم شخصیت انسانها ربطی به آزادی بیان ندارد".

در جای دیگر آقای کرزی به رعایت سنت های دینی اشاره می کند و می گوید "رسانه های ما باید به سنت ها و ارزشهای دینی و فرهنگی مردم افغانستان احترام بگذارند. آزادی مطبوعات، آزادی بی بند و باری و عرضه ی فرهنگ ابتدال نیست."

در مورد این بیانیه رئیس جمهور کار شناسان در عرصه رسانه ها ابراز نظر های داشتند، سیدآقا حسین سانچارکی رئیس اتحادیه ملی ژورنالیستان افغانستان میگوید "استعمال جملات و واژه های تند و نامناسب مانند فتنه انگیزی، افتراء و شخصیت کشی و امثال آنها به هیچ وجه شایسته یک رییس جمهور نیست و اصولاً چنین سخنانی در چنان روزی بی تناسب می نماید، سخنان رئیس جمهور به مناسبت سالروز استرداد استقلال و در روز تجلیل از پیشگامان آزادی و اصلاحات و یادکرد خاطره ی قهرمانان و نمادهای نواندیشی و آزادی طلبی در تاریخ یک قرن اخیر افغانستان بیان می شود و از جمله جمله ی آن بوی خودکامگی و ضدیت با آزادی رسانه ها به مشام می رسد". سانچارکی علاوه کرد که خوب بود تا در این روز رئیس جمهور از جسارت، تلاش و کوشش خبرنگاران جوان و شجاع و با انگیزه ی کشور که برای یافتن حقیقت، جان خود را در خطر قرار دادند و هزاران سختی و مشقت را در راه انعکاس واقعیت های جاری کشور تحمل کردند، ستایش می کرد و از چند تن روزنامه نگاران سرشناس و مطرح کشور به نام روز آزادی و استقلال تجلیل می نمود و یاد ژورنالیستان شهید افغانستان را گرامی می داشت. اما به گفته ی سیدآقا حسین سانچارکی جای بس تأسف است که رئیس جمهور، تنها خشم و ناراحتی اش از رسانه ها را فرو ریخت و با الفاظ رکبک، تلاش و فداکاری رسانه ها را خدشه دار ساخت.

5. راهزنان موتر، وسایل کاری و وجه نقدی خبرنگار بخش پشتوی رادیو بی بی سی در ولایت خوست را مورد دستبرد قرار دادند.

به تاریخ 22 اسد 1385 کمال سادات گزارشگر محلی بخش پشتوی رادیو بی بی سی در ولایت خوست زمانی که پس از انجام یک مصاحبه ی در ولسوالی علیشیر ولایت خوست دو باره به طرف شهر خوست در حرکت بود از طرف اشخاص ناشناس مورد حمله قرار گرفته و بعد از آن که او را لت و کوب نمودند و پای بسته در بین مزرعه ی جوارى انداخته شد موتر شخصی و وسایل کاری اش (، دو پایه تیلیفون، یک عدد کمره ی دیجیتال، و پول نقد) مورد دست برد قرار گرفت. به گفته ی انجنیر محمد انور یک تن از اعضای فامیل کمال سادات زمانی که کمال سادات بعد از چندین ساعت تأخیر به منزل برگشت بسیار در حالت بدی قرار داشت و مورد لت و کوب شدید دزدان قرار گرفته بود.

مل پاسوال محمد ایوب قوماندان امنیه ی ولایت خوست در یک مصاحبه ی با دیدبان رسانه ها گفت "ما بعد از آن که از این حادثه خبر شدیم به جستجوی دزدان آغاز نمودیم، موتر کمال سادات را در نزدیکی سرحد بین افغانستان و پاکستان در حالی که در اثر عوارض تخنیکى از کار مانده بود یافتیم اما از دزدان و دیگر امتعه ی کمال سادات خبری نبود، ما در صدد دستگیر نمودن دزدان و به دست آوردن وسایل کاری به سرقت رفته ی کمال

سادات هستیم" قوماندان امنیه ی ولایت خوست افزود که به اساس معلومات استخباراتی که آنها به دست آورده اند به زودترین فرصت دزدان را دستگیر خواهند کرد.

قابل تذکار است که چندی قبل یکتن از خبرنگاران آژانس خبری پژواک به نام عبدالله الهام نیز در مربوطات ولایت کندهار از سوی دزدان مورد حمله قرار گرفته بود (تفصیل آن را در گزارش 14 دیده بان رسانه ها میتوانید مطالعه نمایند).

6. تلویزیون لمر در کابل به نشرات آغاز نمود:

به تاریخ ۲۸ اسد ۱۳۸۵ نشرات امتحانی تلویزیون خصوصی لمر با تلاوت آیات چندی از کلام الله مجید آغاز شد. بعد از آن گوینده ی به نام مجاهد کاکر روی پرده ی تلویزیون ظاهر شد و گفت که آنها با در نظر داشت قانون اساسی و قانون رسانه های همگانی نشرات خواهد داشت.

صاحب امتیاز تلویزیون لمر سعد محسنی است که در عین حال صاحب امتیاز تلویزیون طلوع نیز میباشد. به گفته ی صدیق احمد زاده یکی از مسئولین تلویزیون لمر و طلوع، اکثر نشرات تلویزیون لمر به زبان پشتو خواهد بود و در پهلوی آن به زبان های دری، اردو و انگلیسی نیز نشرات خواهند کرد و محتوی برنامه های شان حاوی خبر و موضوعات سیاسی بوده و برنامه های تفریحی در مقیاس کمتر به نشر خواهد رسید. صدیق احمد زاده افزود "هدف از ایجاد تلویزیون لمر پرکردن خلا های که ما در تلویزیون طلوع داشتیم میباشد و آن به این معنی که اکثر نشرات تلویزیون طلوع به لسان دری بوده و برای حفظ توازن تصمیم هیئت رهبری تلویزیون طلوع بر آن شد تا با ایجاد تلویزیون لمر این خلا را پر کنند" صدیق احمد زاده یکی دیگر از اهداف ایجاد تلویزیون لمر را مقابله با تأثیر گذاری تلویزیون خیبر (تلویزیون خیبر از پشاور - مرکز ایالت صوبه سرحد پاکستان نشرات میکند) در مناطق پشتون نشین مرزی کشور خواند و افزود "تلویزیون خیبر که در مناطق پشتون نشین نشرات دارد مردم را تحت تأثیر خود قرار داده است، ما با ارائه ی برنامه های دلچسپ تر و خوب تر به مقابله آنها خواهیم پرداخت".

به قول صدیق احمد زاده در حال حاضر تلویزیون لمر تنها در شهر کابل قابل دریافت است و در آینده های نزدیک در ولایات نیز قابل دریافت خواهد بود.

قبل تذکار است که لمر هفتمین چینل تلویزیونی است که در کابل به نشرات آغاز نموده است (قبل از این تلویزیون های طلوع، افغان، آئینه، آریانا، شمشاد و تلویزیون ملی در کابل و اکثر ولایات فعالیت داشته اند).

در همین حال در ولایات کشور نیز کوشش های در جریان است تا چینل های تلویزیونی راه اندازی شود. دیده بان رسانه هاخبر سه چینل که قرار است در سه ولایت کشور به نشرات خود آغاز کند را دریافت نموده که عبارتند از، تلویزیون هیواد در کندهار، تلویزیون ساقی در هرات و تلویزیون شایق در شهر جلال آباد ولایت ننگرهار میباشد.

7. ساحه ی نشراتی تلویزیون ملی در سمنگان وسعت یافت و نشرات تلویزیون محلی ننگرهار به ستلایت وصل شد.

به کمک دولت هندوستان ساحه ی نشراتی تلویزیون دولتی ولایت سمنگان با نصب یک دستگاه جدید الی 50 کیلومتر گسترش یافت.

این دستگاه جدید که به تاریخ 19 اسد 1385 به بهره برداری سپرده شد ، ساخت کشور ایتالیا بوده و مصرف مجموعی نصب و منتاژ آن یکصد هزار دالر امریکایی از کمک های بلاعوض دولت هندوستان پرداخته شده است.

نهندرسنگ رعنایکتن از انجیران کمپنی Becil هندوستان که مسوولیت نصب و منتاژ این دستگاه را بدوش دارد با تذکار مطلب فوق به اژانس خبری پژواک گفته است که این دستگاه دارای قدرت ۲۰۰ وات بوده و می تواند شهر ایبک و قریه های اطراف آن را تا حدود پنجاه کیلو متری تحت پوشش قرار دهد.

به گفته ی رعنا، دستگاه یاد شده مجهز با سیستم جدید و عصری بوده که کار نصب و منتاژ آن یکماه را در بر گرفت که این از جمله ۲۴ دستگاه فرستنده ی است که هند به دولت افغانستان کمک کرده است.

انجیر نجم الدین مدیر تخنیک آمریت تلویزیون محلی سمنگان گفت که دستگاه سابقه در اوایل سال ۱۳۶۸ به نشرات آغاز کرد که قدرت نشراتی آن یکصد وات بود و فاصله ی ده کیلو متر را تحت پوشش قرار می داد و اثر استعمال زیاد، کیفیت نشراتی خود را از دست داده بود.

تلویزیون محلی سمنگان شش ساعت نشرات دارد که علاوه بر نشرات تلویزیون ملی افغانستان، رویدادها و گزارشات محلی را نیز تهیه و بدست نشر می سپارد.

در شهر ایبک ولایت سمنگان در پهلوی تلویزیون ملی شبکه های تلویزیونی آریانا و آئینه نیز قابل دریافت میباشد.

همچنان به تاریخ ۱۸ اسد نشرات دوساعته ی تلویزیون محلی ننگرهار نیز به ماهواره وصل شد.

محمد هاشم غمشریک، رئیس اطلاعات ، فرهنگ و جوانان ننگرهار در یک مصاحبه ی با دیده بان رسانه ها گفت که نشرات تلویزیون محلی ننگرهار را به کمک یک و نیم میلیون دالر از کمک های بلاعوض دولت هندوستان به ماهواره وصل نموده است ، موصوف افزود که بعد از این تلویزیون ننگرهار در تمام افغانستان و در ۴۱ کشور جهان از طریق ماهواره قابل دریافت میباشد.

پرتاب سنگ، جنرال قنسل هندوستان در جلال آباد هدف از کمک های این کشور را انکشاف بیشتر رسانه ها خواند.

قابل ذکر است که رادیو تلویزیون ننگرهار در سال ۱۳۶۳ شمسی به نشرات خود آغاز نموده است .

8. یک خبرنگار آژانس خبری پژواک تحسین نامه ی حقوق بشر را به دست آورد:

به تاریخ ۲۵ اسد خبرنگار آژانس خبری پژواک در ولایت بغلان شیر محمد جهش ، بخاطر انعکاس حقایق و افشای یک زندان شخصی ، تحسین نامه ی جرأت و شجاعت را از سوی کمیسیون مستقل حقوق بشر افغانستان دریافت نمود.

این تحسین نامه طی محفلی که در شهر پلخمری ولایت بغلان برگزار شده بود با شرکت یکعده مسولین و ژورنالستان به شیر محمد جهش تفویض گردید.

در تحسین نامه که از طرف دفتر ساحوی زون شمالشرق کمیسیون مستقل حقوق بشر مقیم کندز به ریاست فرهنگ و جوانان ولایت بغلان سپرده شده آمده است : ((کمیسیون مستقل حقوق بشر افغانستان ، از تلاش های خستگی ناپذیر شیر محمد جهش خبرنگار آژانس خبری پژواک که همواره حقایق را به امانتداری انعکاس داده ، قدردانی نموده و به وسیله ی این تحسین نامه جرأت و شجاعت شانرا ستوده و خواهان توفیق مزید ایشان میباشد.))

آقای جهش در مصاحبه با آژانس خبری پژواک گفت که او در ماه جوزای امسال ، خبری را مبنی بر موجودیت زندان شخصی در شهر پلخمری ، انعکاس داد که بر مبنای این خبر یکی از قوماندانهای کندک لوای ۲ شاهراه شمال، جوان ۱۸ ساله بنام عبدالوحید را بخاطر معامله ی تجارتي شخصی در داخل یک کانتینر قرارگاه این لواء برای هفت روز زندانی نموده بود که جوان بعد از نشر خبر رها شد. قابل یاد آوری است که در این اواخر لوای شاهرا ها از تشکیلات رسمی دولت لغو شده است.

قابل تذکار است که شیر محمد جهش چندین بار از طرف مقامات دولتی و قوماندانان محلی مورد تهدید قرار گرفته است که تفصیلات آن را میتوانید در گزارش نهم دیده بان رسانه ها مطالعه نماید.

9. ورکشاپ آموزشی حق نشر (Copy Right) از طرف رادیو تلویزیون ملی و اتحادیه ی ناشران ممالک آسیا پسیفیک (ABU) برگزار شد:

به تاریخ ۲۴ و ۲۵ اگست ورکشاپ تحت عنوان حق نشر یا کپی رایت (Copyright Workshop) از طرف تلویزیون ملی به کمک اتحادیه ی ناشران آسیا پسیفیک (ABU) در تالار رادیو افغانستان برگزار شد. این ورکشاپ توسط حقوق دان فلپینی به نام فرناند البرتو (Fernand Alberto) نماینده ی قانونی سازمان ABU پیش برده میشد. در این ورکشاپ در حدود ۶۰ تن از نویسندگان و خبرنگاران از نهاد ها و سازمان های مختلف رسانه ئی اشتراک نموده بودند. در جریان این ورکشاپ نخست مفهوم حق نشر بیان شد و بعداً این موضوع روشن ساخته شد که چی زمانی حق مولف یا حق نشر به میان میاید و به تعقیب آن موضوعات مختلف در این رابطه یکی پی دیگر تشریح گردید و به سوالات اشتراک کننده ها جواب داده شد.

به گفته ی فرناند البرتو هدف آنها از تدویر این ورکشاپ عبارت از بلند بردن سطح آگاهی عامه در رابطه به موضوعاتی که مربوط به قانون حق النشر است میباشد.

نجیب روشن رئیس عمومی رادیو تلویزیون ملی افغانستان در بیانیه ی اختتامیه ی این ورکشاپ گفت " امید وار هستم افغانستان با تدوین قوانین حق مولف در لست کشور های شامل شود که قانون حق نشر را مراعات میکنند". نجیب روشن افزود " ما خود که امروز برای نخستین بار این ورکشاپ را برگزار میکنیم ، یکی از کسانی هستیم که این حقوق را مراعات نمیکنیم و در لست دزدانی که حقوق دیگران را زیر پا میکنند شامل هستیم" روشن علاوه کرد که آنها کوشش میکنند تا با تدویر اینچنین ورکشاپ ها و سمینار ها یک مرحله ی روشن گری را قبل از تدوین قانون حق نشر پشت سر بگذارانند تا به تدریج به جای برسند که مراعات حق دیگران به وجدان اجتماعی تبدیل شود و همگی آن را مراعات نماید.

قابل تذکار است که پیش از این نیز کوشش های برای معرفی حقوق نشر صورت گرفته بود و به تاریخ ۲۹ اسد ۱۳۸۴ که برابر میشود با ۲۰ اگست سال ۲۰۰۵ کمیون مستقل نشرات رادیو تلویزیون ملی افغانستان ضمن نشر «لایحه ی حق النشر مواد تولید شده ی رادیو تلویزیون ملی افغانستان»، مکتوب هایی را خطاب به تمام رادیو ها و تلویزیون های فعال در افغانستان صادر نموده بود که بر مبنای لایحه ی متذکره از این رسانه ها خواسته شده بود تا بعد از آن لایحه ی کاپی رایت را رعایت کرده و از نشر تمام مواد تولید شده در رادیو و تلویزیون ملی افغانستان خود داری نمایند. بر مبنای لایحه ی متذکره که در سه فصل و بیست و یک ماده تدوین شده بود ، و تمام فیلم ها، موسیقی ها و آهنگ ها، پارچه های تمثیلی ادبی و هنری، فیلم های مستند، فیلم های هنری، ادبی، تربیتی، سیاسی، فرهنگی، اجتماعی، ذوقی و خبری را شامل می شد که تمام رادیو ها و تلویزیون های

خصوصی و مستقل باید از نشر آن خودداری کرده و یا در قبال نشر آن به رادیو و تلویزیون دولتی پول پرداخت نمایند.

صدیق احمدزاده یک تن از مسئولین تلویزیون طلوع (در همان زمان) ضمن پذیرفتن این موضوع که قانون کاپی رایت می تواند یک امر بسیار مفید باشد، تأکید می کرد که کمیسیون ملی مستقل نشرات رادیو و تلویزیون صلاحیت وضع چنین قانونی را ندارد.

قابل یاد آوریست که به اساس قانون رسانه های همگانی نیز چنین صلاحیت برای کمیسیون ملی مستقل نشرات رادیو و تلویزیون داده نشده است.

(گزارش مفصلتر در مورد این لایحه را میتوانید در گزارش هشتم دیده بان رسانه ها مطالعه نمائید.)

اینک برای تدوین قانون حق نشر و یا حد اقل برای معرفی این پدیده کوشش های صورت میگیرد که یک اقدام خوب برای حمایت حقوق دیگران محسوب میگردد.

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خواننده های محترم میتوانند نظریات و پیشنهادات خود را در مورد این خبرنامه برای بهتر شدن محتوا و کیفیت آن با ما در تماس شوند.

خبرنگاران و مسئولین رسانه ها هر زمانی که با مشکل مواجه میشوند لطفاً به آدرس های فوق با ما آن را در جریان بگذارند تا ما با پیگیری گزارش دادن آن بتوانیم کاری برای دور کردن آن مشکلات کرده باشیم.

یادآوری:

- 1- به خاطر حفظ حریمیت و ملاحظات امنیتی که در برابر گزارش دهنده راجع به گزارش های تهدید و تخویف وجود دارد، برای نی ممکن نبود تا جهت اثبات رویدادها مساعی بیشتر تحقیقاتی را انجام دهد.
- 2- این خبرنامه به کمک بخش ابتکارات دوره انتقالی دفتر انکشاف بین المللی ایالات متحده آمریکا، تحت شرایط اعانه شماره HAD-G-00-02-00066-00 و تحت پروژه کمکی شماره ASIE/2005/16775/106772 اتحادیه اروپا تهیه گردیده است.
- 4- نظریات ارائه شده در این گزارش مربوط به مؤلف آن بوده و لزوماً منعکس کننده نظریات دفتر انکشاف بین المللی ایالات متحده آمریکا و کمیسیون اروپا نمی باشد.
- 3- هیچیک از مواد متذکره در این گزارش بدون اجازه نی نباید دوباره به چاپ برس.



Nai- Supporting Afghanistan Open Media

Media Watch Report

Afghan Journalism Freedom Report # 16

Sediqullah Tawhidi
Media analyst

The spread of fighting and insecurity in the southern and eastern provinces of Afghanistan presents a set of new challenges to the media. Due to the nature of their work, reporters must cover breaking stories, which often takes them to battle zones.

Among the most disturbing developments, the Taliban have officially threatened reporters who quote international forces regarding casualty figures and other details of the fighting. State authorities, meanwhile, have also harassed and physically attacked journalists. The Free Journalist Association has expressed serious concern about the matter.

In this report, Media Watch has followed the following issues:

- Mullah Dadullah, a prominent Taliban commander, threatened reporters with death.
- Two reporters of Radio Da Soli Paigham were injured in Khost, while cases of violence and intimidation against reporters were reported in Paktika and Kabul.
- Arman-e-Millie editor in chief Mir Haider Mutaher, was detained by the National Security Department for six hours.
- Italian photojournalist Gabriele Torsello is freed from his unknown kidnappers.
- Jabul Seraj Radio Sulh reporter Abdul Qudoos still awaits trial
- Seminar convened for provincial directors of the state-owned RTA (Radio Television Afghanistan).

1. Taliban commander threatens journalists with death

In a July 31 interview with the Associated Press, Taliban commander for the southern districts Mullah Dadullah accused journalists of working in the service of the Afghan government and its international backers. Dadullah said journalists who reported Nato figures of Taliban battlefield casualties would be killed. "If journalists engage in the publication of lies [told by] the international Coalition forces, they will be killed," he said. "Reporters of open media in Afghanistan act as the international Coalition forces means of propaganda."

The threat was issued after media outlets reported that more than 200 Taliban fighters were killed in fighting in the south. The Taliban said those figures were exaggerated.

In his threat, Mullah Dadullah claimed the killing of journalists who publish such reports is authorized and supported under Islamic Law (sharia).

Meanwhile, Coalition Forces spokesman John Paradis explained how casualty figures are obtained. "When the operations are over or even when the fighting is going on, reports are prepared by the head of the operations and are submitted to the command center by means of communications," Paradis said. "The command center then organizes and regulates the received reports."

Reports based on information from the command center of the Coalition forces meet journalism standards which require reporting on who, where and when operations are carried out.

Rahimullah Samandar, chairman of the Free Journalist Association in Kabul, regarded the Taliban threat as serious. "The most important thing among the principles of journalism is the safety of a journalist's life," Samandar said. "In principle, a journalist is not supposed to put his or her life in danger to gather facts."

Samandar also noted that reporters are unable to access the battlefields. "For example, if there is a news-related conference and a journalist will go to Noor Jahan Hotel and share his or her report with all journalists residing in Kandahar. Taliban too have a complaint about the fact that reporters are reporting from Noor Jahan Hotel of Kandahar and that they have been notified that in this war X number of people died and X number were injured. It's not possible to report about the war from the Noor Jahan Hotel."

Concerning the accuracy of battlefield statistics, Ministry of Defense spokesman General Zahir Azim told Media Watch: "In any incident journalists themselves observe and are close witnesses to such events. There have been many cases when the coalition forces have acknowledged that they had killed a certain number of enemy fighters, while we have rejected such claims and have declared to the media the figures we had. The

coalition forces data might have been right, but our documents wouldn't confirm them. The government, as opposed to the Taliban, has provided accurate news information to the media. Journalists have witnessed cases such as suicide attacks or combat operations where only one person died while the Taliban claimed 15 dead."

Speaking on media workers' safety, Ministry of Interior spokesman Zamarai Bashari told Media Watch that: "The police are obligated to cooperate with reporters to ensure their safety and to take measures for their security. Whenever journalists feel they are in danger, the police have to ensure their security with particular attention and seriousness. Sometimes there are exceptional circumstances, where a risk against life is deemed to be present. In such cases, the police may hinder the work of journalists because of the dangers which threaten journalists. Therefore, police regard themselves responsible to safeguard journalists against dangers."

The National Security Department is also responsible for the safety of journalists. Department officials declined to speak to Media Watch.

Media Watch believes that ensuring the safety of life and work for journalists is an obligation of governments and becomes an even more serious issue in situations of war and insecurity. Journalists too must not forget to follow safety measures and avoid putting themselves at risk. Journalists should strive to protect their lives, and in a country like Afghanistan where access to accurate and impartial information is difficult work in times of war, journalists must take extra measures to be safe. The murder of BBC reporter Mirwais Jalil during the civil war in 1992 is a clear example the dangers.

2. Two reporters injured in a suicide attack in Khost and a reporter for Paktika Zhagh beaten in Sharan City

Journalists are continuing to face immense obstacles while reporting as violence across the south and east continues to escalate.

In September, Paktia Governor Hakim Taniwalwas assassinated in a suicide attack outside his office in the provincial capital of Gardez. A second suicide blast during his funeral ceremony killed six more and injured several, including Radio Da Soli Paigham reporter Asghar Akbari and RTA cameraman Mir Abdul Sattar. At time of writing, the reporters were still receiving treatment for their injuries. Meanwhile, RTA reporter Saeed Najimi was threatened by funeral attendees after his colleagues were injured. He told Media Watch in a telephone conversation that the pallbearers, who had lost six of their relatives and were very angry, threatened him and prevented him from filing his report.

In another incident, Obaidulla Sarrauzawal, a reporter for Radio Paktika Ghag in Sharan, Paktika was beaten by four armed soldiers as he was preparing a report. He told Media Watch:

“Some weeks ago, when I wanted to prepare a report concerning an incident in the province, four soldiers of the national army who were nearby asked me to show them my telephone. I refused to do so and they asked me to show my telephone license to them. I showed them the license and in addition, summoned a person from the company that sold the telephone to me. But they [the soldiers] beat me as well as the owner of the mentioned company.”

Ministry of Defense spokesman Zahir Azimi rejected the claim. “We try our best to maintain a strong relation with media and the press and this is a mutual need,” he told Media Watch “The press needs news and facts and we need to convey our message to the people. Therefore, there is a cordial cooperation between us. If such an incident occurred, we will definitely pursue it and will find the reasons.”

One of the organs which must act as an advocate for freedom of journalists is the Ministry of Culture and Youth Affairs. Minister Abdul Kareem Khuram told the Media Watch: “In the absence of urgent circumstances if any one hinders the work of reporters, and the Ministry of Culture and Youth Affairs is informed about the matter, the ministry will definitely take action and follow up on the case.”

Harassment, abuse and physical force against journalists is a breach of the Constitution and the Media Law. The laws stipulate that reporters and citizens have a right to seek and obtain information as they desire. Abuse of power and the unlawful actions of security authorities create an environment of repression and block access to information. The war is narrowing the space for freedom of expression, particularly for those reporting from the provinces. Media Watch believes that the current conditions for media workers parallel the lack of freedoms during the decades of war in which independent media was banned.

On July 30, a suicide attack in the Hootkhel district of Kabul killed three police officers and injured several. Pajhwak Afghan News reporter Khalid Mowahed was heading to the site of the bombing to when the vehicle carrying him was shot at by Coalition soldiers. He escaped unharmed.

“I was moving along the same road in a normal manner to the scene of the accident,” Mowahed told Media Watch “My car was shot from an unknown side. I stopped the vehicle and walked. Three bullets had been shot at my vehicle, one of which had hit my car. The shooting was done by Coalition Forces and I had to walk for ten minutes to get to the scene.” According to Mowahed, his car carried the Pajhwak logo and was recognizable from the distance he was shot at.

Minister of Culture and Youth Affairs Abdul Kareem Khuram said the ministry does not follow up on cases where journalists are threatened by security forces during. “Preventing

obstacles for journalists in the course of reporting under normal conditions is my obligation. If journalists are shot by mistake in situations where a suicide attack has occurred and security forces do not let any one get close to the scene, I have no idea who will investigate and follow up such a case.”

Coalition spokesman John Paradis said he had no knowledge of the incident. Paradis told Media Watch: “With regard to this accident, I don’t know what the truth was as I was not there,” he said. “It is possible that our forces might have resorted to such an action, but it is against our adopted laws and is regarded as a violation committed by our soldiers.”

The case of the Pajhwak reporter is not an isolated incident. Given the escalating violence, reporters covering security incidents and traveling in areas where military operations are ongoing are in great danger with little guarantee for their safety and protection.

3. National Security Department detains Arman e Millie editor Mir Haider Mutahar for six hours.

Mir Haider Mutahar, editor-in-chief of Arman-e-Millie Daily, was detained by the National Security Department for six hours, apparently in response to publishing an article that included a rumor that the Taliban had entered Kabul for 48 hours. The story was published on Aug. 21, issue 117.

“When we published this news, the national security authorities arrested me,” Mutahar told Media Watch “I spent six hours under detention. An inquiry was made and I provided information to their satisfaction so I was set free. My detention was illegal. If they had any questions, they should have first approached the Commission on Media Violations at the Ministry of Culture and Youth Affairs, and thus I would have answered their questions through the commission.

According to the Media Law, any apparent offenses must be reviewed by the Commission on Media Violations, which will examine the matter and refer the the case for judicial prosecution, if necessary. Otherwise, the media agency or journalist will be subject to a fine or acquitted of the charges. Media Watch believes National security officials violated the rule of law in the case of the Amran-e Millie editor.

Minister of Culture and Youth Affairs Abdul Kareem Khuram, who chairs the Commission on Media Violations, told Media Watch: “The chief editor of Arman Daily was detained due to printing a news clip which was regarded as an urgent issue and convening the meeting of the commission and discussing the matter required time,” Khuram said. “Now, I don’t think he was tortured, arrested, or affronted. All over the world it is customary for the state authorities to act rapidly to acquire information in such

cases. Since this was a sensitive news item and related to the security of the country, the national security authorities engaged in such an action.”

However, deputy chairman of the National Association of Journalists in Afghanistan Sayed Hamid Noori said the arrest of Mutahar was unlawful. “The arrest of Mr. Mutahar is in violation of laws governing freedom of speech and freedom of media, and it went against the media law,” he said. “Currently, laws don’t authorize the National Security Department to detain a reporter without justification and in the absence of consultation with journalist institutions.”

Media Watch believes that imprisonment of journalists, pursuant to the media law, is applicable only when the complainant submits a complaint in writing to the Commission on Media Violations and the commission, upon deliberation, determines if the matter should be referred to judicial prosecution. A reporter may only be arrested following official charges by legal authorities.

Media Watch hopes that those who are charged with enforcing laws will not violate the laws and those reporters will regard them as their supporters, not their enemies. In this event, freedom of speech and reporters' safety can be guaranteed.

4. Gabriele Torsello, an Italian photo journalist, freed from captivity of an unknown group

Gabriele Torsello, a kidnapped Italian journalist, was released from captivity on Nov. 3, 2006. Torsello was kidnapped three weeks earlier by unknown gunmen while traveling on a bus near Kandahar.

Torsello, who is based in London, told Pajhwak Afghan News Agency prior to his kidnapping that he wanted to travel to rural districts to take pictures. His kidnappers claimed to be Taliban member, but they later told Pajhwak that they were Muslims fighting against foreign troops. A Taliban spokesman, Qari Mohammad Yusuf, condemned the kidnapping of Torsello. His kidnappers, believed to be criminals, offered to hand Torsello over in return for an Afghan convert to Christianity, who had been granted asylum in Italy. They later demanded that Italian troops who are part of Nato should withdraw from Afghanistan.

After his release, Torsello was taken to the Italian Emergency Hospital in Lashkar Gah, Helmand. He was later transferred to Kabul. Speaking at a news conference at the Italian Embassy, Torsello said: “I was deprived of the sun for 23 days and they had fastened my hands and feet with chains.” He did know the identity of his abductors, saying that their faces were covered.

Gabriele Torsello expressed his gratitude for the efforts by the Afghan and Italian governments to secure his release. Neither governments have released details of their involvement in his release, but they have denied paying a ransom.

The case highlights the continued threat that lawlessness in the country has on the ability of media workers to move about the country freely and report on events. Last month, two journalists working for Deutsche Welle were murdered by unknown gunmen while camping in the northern province of Baghlan. The lack of security also continues to impact Afghan journalists who face similar obstacles, including threats of death, kidnapping and robbery.

5. Abdul Qudoos, reporter for Radio Sulh still awaits trial.

Media Watch condemns the lack of due process and calls for a resolution in the case of detained journalist Abdul Qudoos, who has been imprisoned for more than nine months without trial.

According to Afghan law, defendants are entitled to a trial within 40 days after charges are brought against them. Abdul Qudoos - who is a reporter for Radio Sulh in Jabul Saraj, Parwan - was arrested in February while attending a journalism course at the Nai-Supporting Open Media in Afghanistan training center in Kabul. He was arrested based on accusations made by National Assembly member Samea Sadat that he made a failed attempt on her life.

His case has only recently been referred to the Primary Court on Crimes against Domestic and Foreign Security.

Media Watch tried to interview the complainant Sadat and Abdul Baset Delawari, who heads the Court on Crimes against Domestic and Foreign Security. Both refused to provide information or comment on the pending case.

Media Watch believes the case highlights abuse of power by influential politicians. It is clear that Sadat, a Member of Parliament, used her influence in the government to press for his unlawful arrest. Furthermore, Abdul Qudoos was arrested by Parwan province police, who have no jurisdiction in Kabul. His prolonged detention and the lack of due process also indicate further abuses of power and a lack of respect for the rule of law.

6. Seminar of provincial directors of State TV channels convened.

Provincial directors of RTA television affiliates attended a training seminar held in Kabul on August 20. Several directors of domestic and foreign media outlets based in Kabul also attended the seminar.

Minister of Culture and Youth Affairs Abdul Kareem Khuram, deputy minister for publications Rashid Mubariz and deputy minister for tourism Naeem Farahi were among the keynote speakers.

Khuram said the seminar's aim was to discuss better reporting methods in provincial stations and to increase coordination between Kabul and the regional affiliates Regional Television Departments.

“We hope that this seminar will be able to provide adequate information concerning provincial radio and TV,” Khuram said.

Rashid Mubariz said: “Media outlets are operating as a family and we think the family has a pivotal role in the national development and security, which requires adequate attention.”

Other speakers included Haji Sayyid Dawud, editor-in-chief of Erada Daily and head of Afghan Publication Center and Aimal Pesarlay, who heads the BBC office in Kabul. Both spoke on modern journalism and reporting.

Some regional directors expressed concern that the Ministry of Culture and Youth Affairs would attempt to place provincial television networks under its control. Directors said regional affiliates operate independently under the supervision of the national television, which according to the law is independent from the ministry.

Amanullah Khalilyar, director for provincial TV administrations in the National TV Directorate, rejected these claims, saying that the national TV is not independent, operating under the control of the Ministry of Culture and Youth Affairs. Khalilyar said former minister Sayyid Makhdoom Raheen, had stated that “From now on, I have no thing to do [with the National TV] and the national TV is free.”

However, neither in the past, nor now, has RTA been independent, Khalilyar said. “Right now, all administrative affairs [of the TV] are discharged through the ministry and we have not noticed freedom and independence of the National TV,” he added. “The National Commission on Broadcast of the TV and the chairman has no power concerning hiring and transfer of employees, and presently the national TV obtains its broadcast policy from the Ministry of Culture and Youth.”

However, article 31 of the Media Law states that National TV is free from ministry control. RTA is guided by the National Commission on Broadcast of TV.

Open media in Afghanistan continue to face multiple problems and challenges due to the ongoing war, lack of security and enforcement and respect for the rule of law by state authorities and the public.

Nevertheless, the increase in the number of audio-visual and print media - and growth in the level of professionalism and ethical journalism - raises hopes that in the future, if society obeys the rule of law, the media will be able to play an instrumental role in providing unfettered information access to the Afghan population.

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Nai - Supporting Afghanistan Open Media

Media Watch Report Afghan Journalism Freedom Report #17

‘Sidiqullah Tawhidi’
Media analyst

Reporting is a complex profession – one made more difficult when media worker face intimidation, death threats and other dangers. Exacerbating the situation for Afghan journalists are the ongoing insecurity across the country and a lack of respect for the rule of law by authorities responsible for upholding the law.

In the course of performing their jobs, media workers are regularly being intimidated, beaten up and even murdered. Government authorities, freedom of speech organizations and other press advocates must pay attention to the pressures facing the media and respond appropriately. Five years after the fall of the Taliban and the establishment of at least a partial peace, there are still numerous challenges facing journalists. Media Watch is dedicated to documenting those challenges.

Media Watch investigates the following cases in this issue:

1. Suspects in the murder of two German journalists identified, but not arrested
2. Ariana TV chairman Ehsanullah Aryanazai, correspondent Ahmad Fawad Ahmadi are threatened
3. Radio Solh reporter Abdul Qudoos still behind bars
4. Embezzlement charges against RTA director dropped
5. Journalist associations express deep concerns about the situation of journalists
6. Two Afghan journalists attend the Open Society Seminar in Tajikistan

Suspects in the murder of two German journalists identified, not arrested

Police in Baghlan province say they have identified the murderers of two German journalists but no arrests have been made yet. Media Watch urges authorities to act quickly and arrest the suspects.

Karen Fischer, 30, and Christian Struwe, 38, worked for Deutsche Welle.

They were shot in early October while en route from Baghlan to Bamiyan.

The pair had set up a tent for the night when they were gunned down. It is not known if they were targeted because they were journalists or for other reasons.

Baghlan Gov. Sayyid Akramuddin Masoomi told Media Watch in a phone interview that thieves are suspected.

“As far as we know, there are some thieves and agitators in that area,” he said. “These people are the ones who carried out this attack. In the beginning we believed there was some political motive behind their murder, but we later found out that the attackers were a group of robbers who have been identified. Steps will be taken to capture them, but they have not been arrested yet.”

Masoomi said that security issues have delayed the arrest. He declined to give more details when pressed by Media Watch. Ratbill Ahang, a coworker of the journalists, said information about the case is limited.

“We are in touch with Baghlan officials daily,” he said. “They have arrested few people, but nothing has been said regarding the issue. German official also refuse to give details because the investigation is in progress.”

Afghan government officials have said that Struwe and Fischer had not informed relevant authorities about their trip.

“Our colleagues did not have an official mission in Afghanistan, but they wanted to go to that area for making report about Afghanistan,” Ahang said. “Two days before her murder, Ms. Fischer told me that they would stay away from government officials and close to the local people to hear their problems. This could be the reason that they didn’t inform the government officials.”

Both correspondents had been covering Afghanistan for a long time. At the time of their killing they were working on a freelance investigative report for DW TV, according to Ahang. He expressed hope that the authorities would capture those responsible soon.

“We are constantly in touch with the Ministry of Foreign Affairs, Interior Ministry and Baghlan local officials. And we kindly ask them to arrest and punish the criminals,” Ahang added.

Meanwhile, director of the Baghlan department of ministry of culture and youth affairs Mohammad Eshaq Kawkab said he believed that some police chiefs have not arrested the suspected criminals because they were bribed or pressured politically.

“And even these police officers support [the criminals],” he said. “That is why they have not been arrested yet.”

Media Watch believes that, given the lawlessness across the country, the Ministry of Foreign Affairs must provide foreign correspondents with information about different areas of the country and instruct them to stay in touch with the security departments while traveling to rural areas to ensure their safety.

Ariana TV Chairman Ehsanullah Aryanzai, correspondent Ahmad Fawad Ahmadi threatened

Attorney General Abdul Jabar Sabet accused Herat mayor Mohammad Rafiq Mujaddedi of embezzlement following an investigation that took place in the province. Ariana TV correspondent Ahmad Fawad Ahmadi quoted the attorney general in an Oct. 4 report. After its broadcast, Ahmadi was allegedly threatened with death by Mujaddedi and his son.

Ariana news manager Abdul Ghani Mudaqiy told Media Watch that Ahmadi had to go in hiding after the threat.

“Mr. Ahmadi had to leave his house and hide somewhere. [The mayor and his son] did not stop there,” said Mudaqiy. “They even threatened and insulted me and the chairman of Ariana Television, Mr. Aryanzai.”

Mudaqiy contacted authorities after the reported threat, he said.

“We contacted the Interior Ministry and Herat governor and asked them to ensure our reporter’s safety and we told them that, if [our reporter] is attacked, the mayor and his family will be held responsible,” Mudaqiy said, adding that Ahmadi’s report was impartial and balanced according to journalism standards.

“Mr. Ahmadi is still worried because the mayor is a popular person who can create problems for him, but at the moment he is continuing his work and there have been no further threats against him,” Mudaqiq added.

Speaking to Media Watch, Ahmadi gave more details of the threat against him.

“Quoting the prosecutor, I had reported that the mayor would be punished because of accusations that he misused his position,” he said. “At 8:30 that night, the mayor phoned me and said that the news was not true and I had to change my report. I insisted that it was true as I had evidence from the prosecutor. He denied the accusation and threatened me. He said if I don't correct the report he would collect a thousand people the next day and destroy the Ariana TV antenna and also attack me. He also verbally insulted me.

“After a few minutes, the mayor's son called me and said, 'If you do not retract the broadcast news in one hour I will come to your house and kill you.' I told him that he can't do that, and he doesn't have the right to do so. Then I hung up, but he called me again and threatened me again.”

A day following the Ariana broadcast, the mayor allegedly organized a protest in Herat, with demonstrators chanting against journalists and the media, accusing them of spreading false rumors.

“The Interior Ministry informed the Herat police chief of the threats and later the mayor came to my office and apologized, claiming he was spoke in anger in the heat of the moment and his son had also wrongly threatened me. However, early that morning I had been threatened by an unknown caller,” Ahmadi said.

Media Watch contacted Herat Mayor Mohammad Rafiq Mujaddedi, but he declined to comment. Herat's mayor has not been arrested despite a warrant. Mujaddedi is backed by senior officials including the president of the Upper House of Parliament, Sebghatullah Mujaddedi.

Media Watch believes that when government officials and authorities disrespect and violate the law, it harms ordinary citizens, including reporters who have little protection.

Jabul Seraj Radio Peace Reporter Abdul Qudoos still detained without a trial date

Jabul Seraj Radio Solh (Radio Peace) Reporter Abdul Qudoos is still languishing in jail without a trial date in sight. Abdul Qudoos was arrested in February based on allegations that he made a failed attempt to murder a Parwan province legislator Samea Sadat.

Media Watch believes that the authorities have violated Abdul Qudoos right to due process. According to Afghan laws, he should have been tried within 40 days of his arrest. The charges against him should be dismissed or he should be given a fair trial immediately.

Abdul Qudoos worked as a reporter and technician for Raio Solh for two years, according to the station manager, Zakia Zaki.

Sadat was attacked while traveling on a road between Parwan and Kabul provinces. According to Zaki, Abdul Qudoos was attending a training course at Nai when the attack took place. She described the events following his arrest.

“First, the police took Mr. Abdul Qudoos to the Counter Terrorism Section of the National Security Department of Parwan, but because there wasn't enough evidence against him, after 40 days he was taken to the Office of the Attorney General in Kabul. We also need to consider that after the detention of Mr. Qudoos, Ms. Sadat alleged that Qudoos was provoked by me to kill her, but she couldn't provide any evidence for her accusation, so the police couldn't arrest me.

Zaki offered her view of why Abdul Qudoos' case has not gone to trial.

“During all this time he hasn't been investigated because there is no evidence against him,” she said. “Ms. Sadaat has complained that he campaigned for me during the parliamentary election, but she has no other evidence. We suspect that a conspiracy is involved here and an innocent reporter is locked up because of Ms. Sadaat and the interior minister. Court official Abdul Baset received several calls during the hearings and was forced to adjourn the court. This clearly proves that there is a conspiracy behind the Mr. Qudoos' detention. If it wasn't a conspiracy he should have already been freed.

“I think the main criminal is Jabar Taqwa, the governor of Parwan province because he is the leader of the area and he should have probed the crime scene. Currently, Ms. Sadaat is parliamentarian and at the same time she is the head of the Parwan department of education. I'm upset with the President because he hasn't paid attention to Abdul Qudoos' case although an open letter was sent to him.”

While Media Watch has reported on this case before Samea Sadat, spoke to Media Watch for the first time. While declining to comment at first, she told Media Watch that she did not file any complaint against Abdul Qudoos.

“I haven't filed any complain in this regard; government officials themselves arrested [Abdul Qudoos],” she told Media Watch. In the conversation, she also alleged that Ms. Zaki had threatened her.

“You can ask whatever you want from the interior minister and his lawyer, but the most important thing is that Mr. Abdul Qudoos is not a journalism faculty graduate and therefore he is not a journalist. Why doesn't Media Watch investigate murders – why does it only want to report on this? Whatever the prosecutors say is right, I have no doubt about that.”

She asked the Media Watch not call everyone a reporter. At the end of her interview, she accused Media Watch of supporting Abdul Qudoos.

Media Watch believes that if there is evidence to prosecute Abdul Qudoos, the courts must take action quickly. Delawari, who heads the court, declined to address Media Watch's concerns on behalf of the detained reporter. Media Watch believes that this issue is not closed until Abdul Qudoos is released based on lack of evidence or given a fair trial.

The authorities must not sway under the influence of powerful politicians when making a case against an individual as the law states that everyone is equal before the law.

RTA embezzlement case to be closed

A case of embezzlement involving RTA in the amount of \$400,000 is about to be closed, according to Halim Samidi, who heads the investigative department of the Attorney General's office. The Attorney General's Office made the charges in early October. RTA chairman Najibullah Roshan, in an Oct. 7 press conference, vehemently rejected the accusations.

“The amount of money was \$88,000 which was transferred to the RTA account in the Microfinance Bank,” Roshan said. “Only 37 percent of the money was spent following instructions from the President for reconstruction and production of TV programs. According to a proposal by the Ministry of Culture and Youth Affairs, and through the approval of the cabinet, a special account was opened in the Microfinance Bank for RTA for program income and grants from foreign donors.”

The probe into RTA began after some of its employees approached parliament, seeking a review of its finances.

Presidential spokesman Karim Rahimi confirmed that the president ordered changes at RTA, including arrangement of required facilities and production of programs for RTA. If processed through the state bank account, the programming development would have delayed due to the bureaucracy in the state apparatus.

This issue created a media frenzy. In an interview with Tolo TV, Attorney Abdul Jabar Sabet said: “According to the administrative regulations, embezzlement has taken place, but the RTA chairman is not accused in the case. The administrative procedure was not properly followed.”

Meanwhile, Attorney General Spokesman Abdul Rab Chamili told Media Watch: “According to the order of the President, \$193,000 was approved for spending, but an investigation is ongoing in to the remaining funds.

When about whether the president has the authority to pardon persons accused of embezzlement, Chamili said: “The money was not embezzled but it was spent on RTA as authorized by the President. Regarding the rest of the money, the investigation is underway and as soon as it is proved that embezzlement has taken place, it will be processed judicially. Otherwise RTA officials will be found innocent. The main issue is the violation of administrative procedures, not embezzlement. Therefore, the order of the president is legal and applicable.”

Administrative regulations are very bureaucratic, which sometimes causes a slowdown in work. This has created criticisms and concerns among government officials.

Media Watch believes that the Attorney General's Office should not have made its accusations so hastily. Calling this a case of embezzlement has damaged Roshan's reputation. If he is not found guilty, Roshan will likely ask to be publicly vindicated.

Journalist unions express deep concerns about the situation of journalist in Afghanistan

In a gathering on Oct. 9 in celebration of international press freedoms entitled, “Two Years Towards Democracy,” journalists signaled growing concerns about the situation of journalists in the country. The event was held by the Foundation of Afghanistan’s Free Journalists, the Afghan Journalists Defense Committee, the Center for International Journalism, the International Federation of Journalists and the Open Media Fund for Afghanistan.

“Problems like killing, threats, beating and others are on the rise,” Rahimullah Samandar, head of the Free Journalists Foundation said in a speech. “Drastic measures to resolve these problems have not been put in place by the government.”

Based on the information provided by the Journalists Defense Committee, he added: “During the last three years, three journalists have been killed, five injured and three publications were burned down.”

In a letter sent to President Karzai, the International Federation of Journalist stated that, “the international community is seriously supporting journalists, and therefore, the Afghan government should also support them.”

Speaking on this occasion, Deen Mohammad Mubarez Rashedi, the deputy minister for culture and youth, emphasized that the government should implement its mantra that it is “moving towards democracy.”

“Freedom of speech does exist in Afghanistan, but it is not in a very good condition due to an unstable situation and restraints,” he said, asking the security departments to announce as soon as possible the results of investigations about journalists who are under threat.

Afghan journalists attended Open Society Seminar in Tajikistan

Afghan media experts Sayyid Aqa Hussain Fazel Sancharaki, head of the Afghanistan National Union of Journalists, and Tolo TV human rights reporter Mohammad Abdullah attended a one-week seminar hosted by the Open Society Institute of Tajikistan. The seminar assessed press laws of Middle Eastern and Central Asian countries. The seminar, held from Sept. 23-30 in Dushanbe, was funded by the Open Society Institute, the Soros Foundation and the Human Rights Commission of Tajikistan.

Seminar participants came from Afghanistan, Tajikistan, Russia, Australia, Italy and England, including Ms. Prina, the head of the Article 19 organization of Europe, according to Sancharaki.

“Mr. Abdullah and I spoke about the press law in Afghanistan and also described the mistakes that happen in journalism, which were eagerly followed by the participants,” he added. “Participants promised to come to Kabul and learn from the Afghan press.”

Media Watch believes that the Constitution and Media Law are the main reasons behind the success and prosperity of media in Afghanistan relative to the progress made in neighboring countries. Civil society groups and journalists unions, with the support of the international community, should try to maintain the press freedoms established by the law otherwise the achievements made by the interim government will be lost and the freedom of speech will be harmed.

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نی - حمایت کننده رسانه های افغانستان
دیده بان رسانه ها
گزارش هفدهم آزادی ژورنالیسم در افغانستان
صدیق الله توحیدی
گزارشگر و تحلیلگر دیده بان رسانه ها

میرهن وهویداست که کار خبرنگاری از زمره مشاغل است که همواره با چالش ها و مشکلات همراه بوده و در کشور های جهان سومی و درگیر بحران و جنگ مانند افغانستان، این چالش ها حتی به مرگ روزنامه نگاران و خبرنگاران منتهی می گردد.

علل و اسباب این خطرات عدم رعایت موازین ایمنی و ترس جنگ طلبان و استفاده جویان از نشر حقایق بوده که با توسل به چنین اعمال می خواهند حق آزادی بیان و دسترسی به معلومات را که در قوانین نافذ کشور تصریح گردیده، سلب نمایند.

خبرنگاران جز پخش حقایق و افشای زشتی های که سلامت جامعه و روند دیموکراسی را لطمه می زند گناه و جرم دیگری ندارند، به همین جرم است که آنها لت و کوب، توهین، و حتی کشته میشوند. مقامات دولتی، موسسات آزادی بیان و مراجع دفاع از ژورنالیسم مکلف اند تا وضعیت خبرنگاران و رسانه ها را در این کشور به دقت دنبال نمایند.

بعد از پنج سال استقرار صلح نیم بند در افغانستان هنوز هم این چالش ها در کار خبرنگاران وجود داشته، که این امر سبب نگرانی های جدی در رسانه های کشور شده است.

طی سال جاری تاکنون، سه تن از خبرنگاران به قتل رسیده و پنج تن جراحت برداشته اند. و در سه مورد (محل کار) رسانه ها آتش زده شده است.

علاوه بر این، تهدید به مرگ از سوی طالبان و برخی از منتقدین محلی نیز به حال خود باقیست. اما در این راستا اقدامات دولت در جهت تامین امنیت خبرنگاران، بسیار ناچیز و اندک بوده و مراجع دولتی به این امور کمتر بها میدهند که این امر سبب افزایش نگرانی ها در میان خبرنگاران گردیده است.

در گزارش هفدهم دیده بان رسانه ها این عناوین خبری در مورد خبرنگاران و رسانه ها را مورد تحقیق و بررسی قرار داده ایم:

1- قاتلین دو ژورنالیست تبعه آلمان تا حال دستگیر نشده اند.

2- احسان الله آریزی رئیس و احمد فواد احمدی گزارشگر تلویزیون آریانا، مورد تهدید قرار گرفتند.

3- عبدالقدوس خبرنگار رادیوی صلح جبل السراج، در سلولهای زندان در انتظار سرنوشت میباشد.

4- دوسیه اختلاس در تلویزیون ملی در حال بسته شدن است.

5- دوتن از ژورنالستان افغان درسمینار جامعه باز تاجکستان در شهر دوشنبه اشتراک ورزیدند.

6- از روز بین المللی حمایت از مطبوعات آزاد افغانستان، در کابل تجلیل به عمل آمد.

قاتلین دو ژورنالیست تبعه آلمان تا به حال دستگیر نشده اند.

آقای کرسستین استرو و خانم کرین فیشر خبرنگاران (شبکه) دویچوله آلمان بتاريخ هفتم اکتوبر در ولسوالی تاله و برفک ولایت بغلان میخواستند شب راسپری کرده و عازم ولایت بامیان شوند، اما شب هنگام خیمه آنها مورد حمله مردان مسلح ناشناس قرار گرفت و در اثر تیر اندازی افراد یاد شده به قتل رسیدند.

اجساد آنها نخست به شهر پلخمری منتقل، سپس به کابل و بعداً به آلمان انتقال داده شد. در مورد چگونگی قتل این خبرنگاران جزئیات بیشتر در دست نیست. اما آیا اینکه آنها از سوی مخالفین مسلح دولت افغانستان به قتل رسیده اند و یا از جانب کسانی دیگر، سید اکرام الدین معصومی والی بغلان به گزارشگر دیده بان رسانه ها در یک تماس تلفونی چنین ابراز داشت: " تاجایی که ما معلومات داریم در آن منطقه یک تعداد از افراد دزد و بی بند و بار وجود دارد که عامل این واقعه نیز آنها می باشند.

گرچه در اوایل، ما بدین باور بودیم که این قتل انگیزه سیاسی دارد. اما بعداً معلوم شد که این سارقین بوده اند که دست به این جنایت زدند که هویت برخی از آنها شناسایی گردیده و حتماً اقدامات قانونی در زمینه توقیف آنها صورت خواهد گرفت.

اما تا هنوز عاملین اصلی این جنایت دستگیر نگردیده و بعد از توقیف آنها معلومات بیشتر به رسانه ها ارائه خواهد شد. والی بغلان مشکلات امنیتی را علت تأخیر در دستگیری قاتلین خوانده، ولی از کدام مشکلی خاصی یاد آور نشد و ارائه جزئیات را به آینده موکول کرد.

در همین حال آقای رتیل آهنگ، یکی از همکاران آقای کرسستین استرو و خانم کرین فیشر در مورد کشته شدن خبرنگاران یاد شده گفت: " معلوماتیکه ما در این زمینه داریم بسیار ناچیز است، لذا به صورت قطعی نمی توان چیزی گفت، این درحالیست که ما همه روزه با مقامات محلی ولایت بغلان در تماس هستیم و آنها چند نفری را دستگیر کرده اند. اما تاکنون چیزی در این رابطه نگفته اند، این معلوم نیست که آنها از سوی دزدان به قتل رسیده اند، یا اینکه فقط به خاطریکه خارجی بودند کشته شده اند و در آن مورد مقامات آلمانی هم از ارائه جزئیات خودداری می ورزند و اذعان می کنند که چون تحقیق و بررسی در جریان است، لذا نمی خواهند تا هنگام بدست آمدن نتایج چیزی را افشا کنند".

مقامات دولتی افغانستان ابراز میدارند که آقای کرسستین استرو و خانم کرین فیشر از سفرشان مراجع ذریبط را اطلاع نداده بودند. ولی آقای آهنگ یکی از همکاران این دو خبرنگار، علت عدم اطلاع آنها را چنین ابراز کرد: "همکاران ما در افغانستان کدام ماموریت رسمی نداشتند، اما به خاطر تهیه گزارش در مورد افغانستان عازم آنجا گردیده بودند. خانم فیشر دو روز قبل از کشته شدنش برایم گفت آنها سعی خواهند کرد تا از مقامات دولتی بدور، با مردم در تماس شوند و درد دل آنها را بشنوند که شاید این مسئله، عامل عدم اطلاع آنها به مراجع دولتی شده باشد."

آهنگ می افزاید: " این دو خبرنگار از سال های قبل در مورد حوادث افغانستان گزارش هایی را تهیه و به نشر می سپردند، اما این بار آنها به عنوان خبر نگاران آزاد می خواستند گزارش تحقیقی را در مورد افغانستان تهیه نمایند که به یقین، گزارش آنها از طریق تلویزیون دویچوله نشر می شد. "

وی ابراز امید کرد که مقامات افغانستان هر چه زودتر در توقیف عاملان این واقعه اقدام نمایند و گفت: " آنها مداوم با وزارت امور خارجه، امور داخله و مقامات محلی ولایت بغلان در تماس هستند و از آنها مصرا نه تقاضا کرده اند تا قاتلین را دستگیر و مجازات نمایند. "

اما محمد اسحاق کوکب، رئیس فرهنگ و جوانان ولایت بغلان، به این باور است که برخی از فرماندهان پولیس با اخذ رشوه و یا به علت گرایش های تنظیمی، مجرمین را دستگیر ننموده و حتی از آنها حمایت می نمایند و بدین لحاظ تا کنون عاملان قتل خبرنگاران یاد شده دستگیر نگردیده اند.

دیده بان رسانه ها بدین باور است که با توجه به وضع امنیتی در کشور، وزارت خارجه مکلف است تا به خبرنگاران خارجی در مورد مناطق مختلف کشور معلومات داده و از آنها بخواهد تا مراجع امنیتی را در جریان سفر شان قرار دهند.

باید یاد آور شد که در ماه گذشته گابریل ترسیلو عکاس ایتالوی در جریان سفر از ولایت هلمند به اسارت یک گروه ناشناس مسلح درآمد که بعد از بیست و سه روز اسارت بصورت مرموزی رها گردید، وی نیز مقامات پولیس و مراجع امنیتی را در جریان سفرش به آن ولایات قرار نداده بود.

البته شایان ذکر است که عدم اطلاع اتباع خارجی خصوصاً خبرنگاران دلیل برائت پولیس از سهل انگاری در کار شان نشده، چه آنها مؤظف اند تا فضای مصئون را برای همه کسانی که در افغانستان زندگی مینمایند فراهم آورند و خبرنگاران نیز تدابیر ایمنی را باید مرعی دارند تا از حوادث ناگوار این چینی جلوگیری گردد.

احسان الله آرینزی رئیس و احمد فواد احمدی گزارشگر تلویزیون آریانا، مورد تهدید قرار گرفتند.

عبدالجبار ثابت، لوی سارنوال، چندی قبل جهت بررسی ادارات دولتی عازم ولایت هرات گردیده و در اولین حله اعلام کرد که محمد رفیق مجددی شهردار شهر هرات متهم به اختلاس بزرگ است. احمد فواد احمدی، گزارشگر تلویزیون آریانا در ولایت هرات این خبر را از قول سارنوال هرات به تلویزیون خود، بتاريخ 12 میزان (چهارم اکتوبر 2006) گزارش داد که با نشر آن، مورد تهدید به مرگ از طرف شهردار هرات و پسرش قرار گرفت.

عبدالغنی مدقق، مسول بخش خبر تلویزیون آریانا، در مورد تهدید علیه جان فواد احمدی به گزارشگر دیده بان رسانه ها چنین اذعان داشت:

" بتاريخ چهارم اکتبر آقای احمدی از شهر هرات گزارش داد که لوی سارنوال به ان شهر سفر نموده و ضمن بررسی ادارات دولتی تعدادی از مسولان را به اتهام سوء استفاده برکنار ویا توقیف نموده که یکی از آنها شهردار هرات بود، همان بود که گزارشگر تلویزیون آریانا از سوی شهردار و فرزندش به مرگ تهدید گردید، آقای احمدی از منزلش خارج و مخفی شده بود، آنها به اینهم بسنده نکرده، من و رئیس تلویزیون آریانا آقای آرینزی را نیز تهدید نموده و دشنام دادند، لذا اگر هر کاری علیه خبرنگار ما صورت گیرد شهر دار هرات و فرزندش مسول آن خواهند بود. "

مدقق در مورد اقدامات وزارت داخله در این زمینه گفت: " ما با وزارت امور داخله و والی هرات در تماس شده و تقاضا نمودیم تا امنیت گزارشگر آریانا در هرات تامین گردد و به آنها گفته شد که اگر وی مورد حمله قرار گیرد مسول شهر دار و خانواده اش خواهد بود، زیرا خبر منتشره مطابق معیار ژورنالیزم بوده و بی طرفی و توازن دران مراعات شده بود. "

مدقق میگوید: " فواد احمدی هنوز هم نگرانی دارد، زیرا شهردار یک شخص با نفوذ محلی بوده، می تواند مشکلاتی را برای خبرنگار تلویزیون آریانا به وجود آورد، اما در حال حاضر کدام واقعه و یا تهدیدی علیه وی صورت نگرفته است و وی به کارش در آن شهر ادامه میدهد."

احمدی به گزارشگر دیده بان رسانه ها گفت: " من از قول یکی از سارنوالان گزارش داده بودم که شهر دار هرات به اتهام سوء استفاده بازداشت می گردد. بعداً ساعت هشت و سی شب شهر دار تلفونی برابم گفت: این خبر کذب است و باید آنرا اصلاح کنید. من اذعان کردم که خبر موثق است و من اسناد دارم که سارنوال مؤظف چنین گفته است و خبر را من رد نمی نمایم، وی مرا تهدید نموده گفت: که اگر آنرا رد ننمایید، من فردا یک هزار نفر جمع می کنم و آنتن تلویزیون آریانا را تخریب می نمایم و بالای شما حمله می نمایم و مرا دشنام داد."

احمدی می گوید: "بعد از چند لحظه پسر شهردار برابم زنگ زده و گفت که: "اگر تا یک ساعت دیگر خبر منتشره را رد ننمایید من به منزل شما آمده و شمارا به قتل می رسانم" ، من برایش گفتم که شما نمیتوانید چنین کاری را کنید زیرا صلاحیت انرا ندارید و تلفون را قطع کردم."

" اما وی بار دیگر تلفونی مرا تهدید به مرگ کرد و من به زودی دفتر مرکزی تلویزیون آریانا را در جریان گذاشتم و آنها وزارت امور داخله را اطلاع دادند و خلاصه دفتر امنیت ملی و سایر مراجع در جریان قرار گرفتند."

و فردای آن، شهردار اسبق یک تعداد از مردم را جمع کرده و آنها علیه رسانه ها و خبرنگاران شعار میدادند و رسانه ها را متهم به شایعه پراکنی مینمودند.

احمدی به دیده بان رسانه ها در مورد اقدامات مراجع دولتی در قبال این تهدید علیه وی گفت: "وزارت داخله در زمینه تأمین امنیت بنده به فرماندهی پولیس شهر هرات دستور لازم داده است، شاروال هرات نیز من را به دفتر کارش خواسته و از من عذر خواهی نموده گفت: "من احساساتی شده بودم و پسر من خودسرانه شما را تهدید نموده است." "گرچه صبح همان روز نیز از سوی یک فرد ناشناس توسط تلفون در همین مورد تهدید گردیده بودم".

گزارشگر دیده بان رسانه ها سعی کرد تا محمد رفیق مجددی شهر دار اسبق هرات را از طریق تلفون در یابد و از وی نیز در این مورد استفسار نماید، اما وی حاضر به گفتگو نشد و تلاش ما در این زمینه به جایی نرسید.

آنچه از پی گیری این مساله هویدا می گردد، عدم رعایت حق خبرنگاران درپخش و نشر خبر بوده که از سوی عده ای از اشخاص با نفوذ محلی نقض می گردد، اکثراً طی سال های جنگ فرماندهان محلی آنچه را خواسته اند، توانستند انجام دهند که این امر میل به عادت شده و اقدامات جدید را نیز سعی می کنند به میل آنها انجام شود که از بازخواست تحقیق مبرا باشند .

در مورد قضیه شهردار هرات باید گفت که تا کنون موصوف بازداشت نگردیده و با وجود امر توقیف، آزادانه زندگی می نماید. شکی نیست عده ای از سران دولت به شمول رئیس مشرانو جرگه صیغت الله مجددی، از طریق تلویزیون طلوع از وی حمایت به عمل آورد و به ادعای لوی سارنوال، موصوف از افغانستان فرار نموده است.

عدم تطبیق قانون از سوی افراد و مراجع دولتی میزان هراس از قانون را کاهش داده که آسیب ناشی از آن دامنگیر خبرنگاران و رسانه ها نیز می گردد.

عبدالقدوس خبرنگار رادیو صلح جبل السراج در سلول های زندان بسر میبرد.

عبدالقدوس، خبرنگار رادیو صلح جبل السراج، از مدت نه ماه بدینسو به اثر شکایت خانم سامعه سادات، مینی براینکه وی علیه جان موصوفه سوء قصد نموده بود، در زندان بسر میبرد که شرح توقیف وی در گزارش شانزدهم بنشر رسید.

پرونده آقای قدوس در محکمه جرایم علیه امنیت داخلی و خارجی تحت دوران قرار دارد، اما تا هنوز محکمه رای نهایی خویش را صادر ننموده است.

خانم ذکیه ذکی، رئیس رادیو صلح جبل السراج، در مورد بازداشت عبدالقدوس خبرنگار رادیوی یاد شده به دیده بان رسانه ها گفت: "عبدالقدوس از مدت دو سال بدین طرف به حیث خبرنگار تخنیکر، رادیو صلح کار می کرد. در طول مدت یاد شده، وی یک خبرنگار کارکن وزحمت کش بود. در ماه دلو سال گذشته بالای خانم سامعه سادات نماینده مردم ولایت پروان در پارلمان، در مسیر جاده جبل السراج چهاریکار شلیکی صورت می گیرد که وی از سوی خانم سادات و پولیس مورد سوء ظن قرار گرفته و حکم بازداشت عبدالقدوس صادر میگردد، اما این درحالیست که وی مصروف سپری نمودن کورس آموزشی ژورنالیزم در موسسه نی در کابل بوده است."

پولیس وی را نخست به ریاست امنیت ملی ولایت پروان، به اداره مبارزه با تروریسم برده و مدت چهل روز را در آن جا سپری می نماید، اما چون اسناد و مدارکی در دست نداشت، لذا به لوی سارنوالی در کابل اعزام میشود. اما یک نکته را باید گفت که سامعه سادات بعد از توقیف عبدالقدوس به رسانه ها گفت: "وی بدستور گویا من (ذکیه ذکی) اقدام به قتل وی کرده است، اما هیچ شواهدی در زمینه ارائه نتوانست، لذا پولیس نتوانست بنده را جلب نماید."

خانم ذکی افزود: "در تمام دوران بازداشت از وی تحقیقات لازم صورت نگرفته است، زیرا شواهدی علیه وی وجود ندارد، آقای قدوس بری ذمه می باشد و خانم سادات به این دلیل علیه وی شکایت کرده است که او در کمپاین انتخاباتی من موظف بوده است زیرا من نیز یکی از کاندیداهای انتخابات پارلمانی بودم، غیر این شواهدی در زمینه وجود ندارد."

اما از آن تاریخ تاکنون که مدت 10 ماه سپری میشود، عبدالقدوس در زندان بسر برده و هیچ اقدامی در زمینه رهایی وی صورت نگرفته است، تازه یک ماه میشود که پرونده وی به محکمه جرایم علیه امنیت داخلی و خارجی سپرده شده که در آن نه سندی دال بر ملزومیت وی و نه مدارک اثبات جرم وجود دارد، به همین ملحوظ محکمه نتوانسته تا دوسیه نسبتی آقای قدوس را فیصله و وی را تعیین سرنوشت نماید.

ذکیه ذکی افزود: "حسد و گمانهایی وجود دارد که در این قضیه توطئه ای در کار بوده و در اثر نفوذ شخصی خانم سادات و وزیر داخله، یک خبرنگار بی گناه روزهاست که در زندان بسر می برد." "در جریان محکمه تلفون هایی به آقای عبدالباسط دلاوری، رئیس محکمه میشود و جریان محاکمه تعطیل می گردد که این خود گواه توطئه علیه آقای قدوس است، زیرا اگر چنین نمی بود باید موصوف قبلاً رها میگردد."

وی گفت: "به نظر من مقصر اصلی جبار تقوا، والی پروان است. زیرا وی رئیس منطقه میباشد، اگر شکایت صورت گرفته بود، اول باید مسئله بررسی میشد، محل وقوع انداخت که ادعا شده، دیده میشد و بعد دوسیه ترتیب می گردید. خانم سادات همین اکنون هم نماینده پارلمان هست و خلاف قانون رئیس معارف ولایت پروان نیز می باشد، در عقب وی مقامات مهم دولتی و حکومتی قرار دارد. من از رئیس جمهور گلايه دارم که چرا با وجود ارسال نامه سرگشاده عنوانی شان از سوی انجمن آزاد ژورنالیستان این پرونده هنوز به حال خود باقیست و هیچ اقدامی در زمینه صورت نگرفته است."

گزارشگر دیده بان رسانه ها در این مورد با خانم سامعه سادات در تماس گردید. وی نخست سعی کرد در این زمینه اظهار نظر ننماید، اما در اثر اصرار گزارشگر گفت: "من در این مورد کدام شکایتی به مراجع مسوول نکرده ام، اما مقامات دولتی خود اقدام به گرفتاری وی کرده و ادعا نمود که خانم ذکی قبل از این واقعه وی را هشدار داده است."

خانم سادات گفت: "شما هر چه می پرسید از وزیر داخله و سارنوال موظف استفسار نمائید، اما آنچه مهم است اینکه وی چون از ژورنالیزم فارغ نشده، لذا وی خبرنگار نیست."

وی علاوه کرد که: "چرا دیده بان رسانه ها در مورد سایر قتل ها تحقیق نمی نماید که فقط خواستار تهیه گزارش در این مورد است؟"

خانم سادات گفت: "هر چه سارنوالان ادعا کرده درست است، من شاکی نبودم. وی از دیده بان رسانه ها خواست تا هر کس را خبرنگار نگوید." وی در اخیر مصاحبه اش دیده بان رسانه ها را متهم به جانب داری از عبدالقدوس نمود.

آنچه از پیگیری این مسئله برمیاید، دیده میشود تا هنوز نفوذ شخصی در ادارات دولتی وجود داشته که این خود عدم اجراء قانونی ببار میآورد. زیرا اگر واقعاً آقای قدوس ملزم است، پس چرا محکمه با صدور حکم به این ماجرا پایان نداده و وی را مجرم نمی خواند و اگر واقعاً بی گناه است چرا رها نمی گردد؟

این سوالاتیست که باید به آن پاسخ داده شود، اما آقای دلوری رئیس محکمه جرایم علیه امنیت داخلی و خارجی نیز به آن پاسخ نداد. ما متوقع هستیم تا در گزارش آینده آقای قدوس تعیین سرنوشت شده و این پرونده پایان یابد.

دولت و قوه اجرائیه نباید تحت نفوذ افراد بانفوذ قرار گرفته و به ادعاهای عاری از شواهد ترتیب اثر دهند، زیرا در قوانین نافذ کشور هر تبعه افغان از حقوق شهروندی مساوی برخوردار بوده، هیچ امتیازی افراد بانفوذ و صاحب قدرت با شهروندان عادی ندارند.

دوسیه اختلاس در تلویزیون ملی در حال بسته شدن است.

بتاریخ 30 ماه سنبله (21 سپتمبر 2006)، جبار ثابت لوی سارنوال افغانستان، از طریق رسانه ها اعلام کرد که در تلویزیون ملی حدود چهار صد هزار دالر امریکایی اختلاس صورت گرفته است.

اما بتاریخ 15 ماه میزان (7 اکتوبر 2006) نجیب الله روشن، رئیس عمومی رادیو تلویزیون ملی، در یک نشست خبری این ادعای لوی سارنوالی را رد نموده گفت: "پول یاد شده سه صد هشتاد و هشت هزار دالر امریکایی بوده که به حساب رادیو تلویزیون ملی در بانک مایکرو فایننس گذاشته شده که از آن صرف 37 فیصد به مصرف رسیده است، این اقدام به اثر هدایت رئیس جمهور جهت بازسازی و تهیه برنامه ها صورت گرفته است."

وی افزود: "به اثر پیشنهاد وزارت فرهنگ و جوانان و منظوری شورای وزرا، حساب بانکی مخصوص برای تلویزیون ملی در بانک مایکرو فایننس افتتاح گردید، تا پول های کوچک مساعدتی که از سوی منابع خارجی در اختیار تلویزیون ملی قرار می گیرد در آن حساب تحویل گردد."

قسمیکه در گزارش شانزدهم آمده است، بررسی تلویزیون ملی از آنجا آغاز شد که به اثر شکایت برخی از کارمندان آن اداره به مشرانو جرگه، آنها خواستار بررسی و تقییش تلویزیون ملی گردیدند.

اما کریم رحیمی، سخنگوی دفتر مطبوعاتی رئیس جمهور کرسی، نیز اذعان کرد که آنچه صورت گرفته به هدایت شفاهی رئیس جمهور به خاطر آوردن تسهیلات لازم برای تهیه برنامه های تلویزیون ملی میباشد، چه در غیر آن

باید پول به حساب شش هزارویک و ادارات دولت تحویل و بعد از یک پروسه اداری دوباره در اختیار تلویزیون ملی گذاشته میشد که این روند کندی را در تهیه و نشر برنامه ایجاد می نمود.

این مسئله سروصدا های زیادی را در رسانه ها ایجاد کرد، آقای ثابت در یک مصاحبه با تلویزیون طلوع گفت: "اختلاس از نظر قوانین اداری صورت گرفته است و شخص رئیس تلویزیون ملی در این پرونده متهم نیست، زیرا در این مسئله مراتب اداری در نظر گرفته نشده است."

در همین حال عبدالرب چمبیلی، سخنگوی لوی سارنوالی به دیده بان رسانه ها گفت: "در مورد دوسیه اختلاس در تلویزیون ملی فرمان عفو رئیس جمهور و اصلیکه براساس آن یکصد و نود سه هزار دالر آن بخشیده شد و متباقی آن تحت دوران تحقیق قرار دارد."

وی در زمینه اینکه رئیس جمهور صلاحیت عفو پول های یاد شده را از نگاه قانون دارد یا خیر ابراز داشت که: "پول های یاد شده اختلاس نبوده و آن مبالغ در تلویزیون ملی به مصرف رسیده است که رئیس جمهور آنرا مورد عفو قرار داده است. در مورد باقی مبلغ ذکر شده پروسه تحقیق جریان داشته هرگاه ثابت شود که اختلاس است تحت دوران قضایی قرار میگیرد، در غیر آن مسوولان تلویزیون ملی برائت حاصل خواهند کرد. اصل در این قضیه عدم مراعات پروسه اداری است، نه اختلاس، لذا حکم رئیس جمهور مطابق قانون و مری الاجراست."

گفتنیست که مقررات اداری در افغانستان به حدی بروکراتیک (یا ردوبدل شدن کاغذ ها) بوده که بعضاً اعمال آن سبب کندی کار شده و مراجع نمیتوانند بصورت درست در تطبیق برنامه هایشان گام های مؤثر بردارند، که این مسئله سبب سروصدا های زیادی می گردد.

اما آنچه قابل دقت است اینکه نباید این موضوع به عجله از سوی لوی سارنوالی اعلام میشد، زیرا خواهی نخواهی اعلام قضیه اختلاس در صورتی که به طور کامل اختلاس محسوب نشده است، سبب هتک حرمت رئیس عمومی رادیو تلویزیون ملی شده است که اگر برائت حاصل نماید شکی نیست که باید اعاده حیثیت گردد.

از وضع خبرنگاران در افغانستان ابراز نگرانی گردید.

بتاریخ 17 ماه میزان (9 اکتوبر 2006)، همایش حمایت جهانی از آزادی رسانه های افغانستان، تحت عنوان "دوسال در جهت دیموکراسی" از سوی انجمن آزاد ژورنالیستان افغانستان، کمیته دفاع از ژورنالیستان افغانستان، مرکز ژورنالیزم بین المللی افغانستان، فدراسیون بین المللی ژورنالیستان و صندوق کمک به رسانه های آزاد ژورنالیستان OMFA در کابل دایر گردید.

رحیم الله سمندر، رئیس انجمن آزاد ژورنالیستان در محفل یاد شده گفت: "مشکلات برای ژورنالیستان افغانستان چون قتل، تهدید، لت کوب و غیره در حال افزایش است." وی افزود: "برای رسیدگی به این مشکلات و حل آنها، در اکثر موارد عملاً از سوی دولت اقدامی صورت نگرفته است."

موصوف بنابر معلومات کمیته دفاع از ژورنالیستان افغانستان ابراز کرد: "طی سال روان سه تن از خبرنگاران به قتل رسیده، پنج تن مجروح گردیده و سه رسانه آزاد آتش زده شده است."

وی به نامه سرگشاده فدراسیون بین المللی ژورنالیستان عنوانی رئیس جمهور کرزی اشاره نموده گفت: "جامعه جهانی از خبرنگاران بشدت دفاع می نمایند، لذا دولت افغانستان نیز باید در دفاع از خبرنگاران برخیزد."

در این محفل دین محمد مبارز راشدی، معین نشراتی وزارت فرهنگ و جوانان تأکید کرد که دولت جهت تحقق آزادی بیان باید شعار حرکت بسوی دیموکراسی را عملی سازد.

وی افزود: "آزادی بیان در کشور وجود دارد، اما به علت شرایط نامناسب و محدودیت در وضع عالی قرار ندارد. اما وزارت فرهنگ و جوانان در راستای حمایت از خبرنگاران تلاش لازم به خرج خواهد داد."

مبارز از نهادهای امنیتی خواست تا نتایج بررسی های خود را در مورد آنچه از خبرنگارانی که مواجه به مشکل شده اند، به زودی اعلام نمایند تا از آنها به وجه احسن حمایت صورت گیرد.

دوتن از ژورنالیستان افغانی در سمینار جامعه باز تاجکستان اشتراک ورزیدند.

سمینار یک هفته ای از سوی جامعه باز تاجکستان به کمک موسسه او، اس، ای (انستیتوت جامعه باز) که یک موسسه امریکایی بوده و در بیش از 70 کشور فعالیت می نماید به همکاری بنیاد سوروس و کمیسیون حقوق بشر تاجکستان از تاریخ 23 سپتامبر الی 30 سپتامبر در شهر دوشنبه دایر گردید.

در این سمینار آقای سید آقاسین فاضل سانچارکی، رئیس اتحادیه ملی ژورنالیستان افغانستان و مشاور موسسه انترنیوز افغانستان و آقای محمد عبدالله، گزارشگر حقوقی تلویزیون طلوع اشتراک ورزیدند.

آقای سانچارکی به گزارشگر دیده بان رسانه ها گفت: "در این سمینار از کشورهای افغانستان، تاجکستان، روسیه و استایدی از استرلیا، ایتالیا و انگلیس به شمول خانم پرینا مسول موسسه آرتیکل 19 اروپا اشتراک داشتند. هدف از تدویر این سمینار بررسی قوانین رسانه های کشورهای آسیای میانه و قفقاز بود که مدت هفت روز بالای این قوانین بحث صورت گرفت.

از افغانستان بنده و آقای عبدالله، در مورد قانون رسانه های کشور صحبت نمودیم و هم خطاها و اشتباهات خبرنگاری را مشخص نمودیم، که اشتراک کننده گان با علاقمندی آنرا دنبال نموده و ابراز امیدگی نمودند تا به کابل آمده از رسانه های افغانی در زمینه کار رسانه ای الگو بگیرند."

دیده بان رسانه ها بدین باور است که صراحت قانون اساسی و قانون رسانه ها زمینه اساسی شکوفایی و پویایی رسانه ها در کشور است که برخی از کشور های همسایه از آن محروم اند.

اکنون که قانون رسانه ها جهت تصویب به پارلمان ارجاع شده است، باید نهاد های جامعه مدنی و اتحادیه های خبرنگاری با حمایت جامعه بین المللی سعی نمایند تا این ارزش حفظ گردد، چه در غیر آن، این دست آورد بزرگ که بعد از استقرار اداره موقت در کشور به دست آمده است، آسیب فراوان دیده و بر آزادی بیان لطمه جدی وارد خواهد شد.

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خبرنگاران و مسئولین رسانه ها هر زمانی که با مشکل مواجه میشوند، لطفاً به آدرس های فوق با ما در تماس شده و ما را در جریان قرار دهند. تا ما با پیگیری آن بتوانیم کاری جهت حل آن مشکل از طریق ارائه گزارشها، انجام دهیم.

یادآوری:

1- به خاطر حفظ محرمانگی و ملاحظات امنیتی که در برابر گزارش دهنده راجع به گزارش های تهدید و تخويف وجود دارد، برای نی ممکن نبود تا جهت اثبات رویدادها مساعی بیشتر تحقیقاتی را انجام دهد.

2- این خبرنامه به کمک بخش ابتکارات انکشافی جامعه مدنی، دفتر بین المللی کاونترپارت، تحت شرایط اعانه شماره 306-A-00-05-00511-00 پروژه کمی دفتر انکشاف بین المللی ایالات متحده آمریکا تهیه گردیده است.

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4- هیچیک از مواد متذکره در این گزارش بدون اجازه نی نباید دوباره به چاپ برسد.



Nai - Supporting Afghanistan Open Media

**Media Watch Report
Afghan Journalism Freedom Report #18**

Sediqullah Tawhidi
Media analyst

Freedom of expression is enshrined in the Constitution and a relatively new concept in the country. Consequently, various authorities appear to believe that the environment for expression today is similar, and should be similar, to the periods of authoritarian rule in the past – in other words, limited and uncritical of the government. Coupled with the current fighting and lack of security, Afghan journalists continue to face challenging and even dangerous working conditions.

In this issue, Media Watch investigates the following:

- Journalists boycott coverage of Parliament for seven days
- Afghan Interior Ministry and Pakistani government ban Tolo TV
- Satirist Dr. Khalil Narmgoi detained for 10 days
- Energy and Water Minister demands dismissal of Ariana TV reporter
- Government issues demand that independent media call war dead “martyrs”
- RTA reporter beaten up by Kabul Airport security officials
- Two Pakistani journalists freed from Taliban captivity in Helmand
- Bamiyan lacks media outlets
- Afghan media representatives attend ninth annual public radio summit in Jordan

- Ariana Radio launches international broadcast
- Laghman National TV begins trial programming
- First radio station in Uruzgan launched

Journalists boycott coverage of Parliament for seven days

Reporters announced a boycott of Parliament in a Nov. 14 press conference organized by the Afghanistan Free Journalists Union. The boycott was declared after legislators expelled all journalists the previous day from the chamber for a closed session. The boycott was initiated by journalist Ghaws Zalmai and backed by the Afghanistan Free Journalists Union.

“After the boycott was announced, it appeared that Parliament took notice,” said Afghanistan Free Journalists Union president Rahimullah Samandar. “A week later, Yunus Qanooni, the chairman of the Lower House, invited all the journalist unions for a meeting wherein he accepted reporters' recommendations.”

The recommendations included: appointing a parliamentary spokesman for media; creating a code of conduct for Parliament in order to allow journalists to better cover proceedings; and strengthening coordination between reporters and chairmanship of the Parliament.

The Nov.13 session of Parliament centered on government structures, but lawmakers delayed the planned discussion and instead debated their salaries, at which point the session was declared closed to the public and reporters were told to leave.

National Union of Journalists President Sayyid Hussain Fazel Sancharaki opposed the boycott.

“A boycott deprives the public of information about parliament and reporters shouldn't do that,” he said. “Likewise, Parliament should strive to resolve these issues and should not ban reporters.”

Sancharaki added: “The behavior of some legislators towards journalists is commendable, and other legislators should act as representatives of the people.”

Meanwhile, Minister of Culture and Youth Affairs Abdul Karim Khuram was summoned to appear before the religious and cultural affairs commission of Parliament. He told Tolo TV that the country's media law was being debated by the commission.

“As we practice freedom of speech, our interaction with journalists should be within the framework of the law and respectful,” he told Tolo TV. “Journalists should also leave the session if the session is declared closed. According to the law, Parliament has the right to hold closed sessions.”

There have been several altercations between reporters and legislators. Previously, Lower House representative Jamil Karzai, who is a member of national security and border control commission, called RTA reporter Arif Azizi a “devil.”

“You are devils because you broadcast wrong information,” Karzai was quoted as saying to journalists.

Karzai reportedly blocked Azizi from an Oct. 15 meeting of lawmakers and ISAF representatives, and accused him of lying. The following day, Karzai apologized to the media for his comments.

In another incident, Ghazni MP Khiyal Mohammad Hussaini beat Tolo TV cameraman Omid Yakmanish as he was filming the physical conflict that broke out between lawmakers over Malalai Joya’s speech about mujahideen leaders on May 7.

Lawmakers and senior government officials have a limited awareness and understanding of freedom of the press. Legislator Hajji Mohammad Muhaqeq, who chairs the religious and cultural affairs commission that has been reviewing the Media Law, called journalists unprofessional and amateur. He criticized broadcast of footage in which lawmakers are shown sleeping in their seats during official sessions. The images, which are also aired on satirical programs, are indecent, he said.

Afghan Interior Ministry and Pakistani government ban Tolo TV

The Ministry of Interior reportedly prohibited all its employees from speaking to Tolo TV reporters, according to a story aired on the channel's *6:30 Report* on Dec.1. The *6:30 Report* is an investigative program that examines current affairs issues each week. The ban also included Lemar TV and Radio Arman, which are part of Moby Capital, the parent company that also owns Tolo.

The ban was widely criticized by journalism unions and media outlets. The right to access to information is enshrined in the Constitution, and the ministry acted unlawfully by blocking the media’s access to information.

Afghanistan Journalists Union interim president Sayyid Hussain Fazel Sancharaki called the ministry's move unconstitutional and urged the ministry to retract the ban.

Interior spokesman Zemarai Basherri denied the allegations made on Tolo.

“We have not boycotted Tolo TV,” he said. “We haven’t boycotted any media agency. The Interior Ministry is just barring junior officials from giving exclusive interviews with media without the permission of senior officials. Exclusive interviews are allowed only if the minister permits them. We want to maintain stability in the Interior Ministry.”

But Tolo TV Executive Director Mohammad Sediq Ahmadzada told Media Watch that relations with the ministry were poor.

“Relations between the Interior Ministry and Tolo, Lemar and Radio Arman have been cut off for the past one and a half months. Basherri said in a press conference that the ministry would not cooperate with these outlets. The reason behind the ban was a broadcast of a report about Zarar Ahmad Muqbil, the interior minister. The report noted that the streets of Kabul are closed to traffic when Muqbil’s convoy travels, which creates problems for residents.

“After the broadcast of the *6.30 Report*, the Ministry contacted Tolo TV, and hopefully the ban will be lifted,” Ahmadzada added.

According to media affairs experts, the Interior Ministry, with this temporary ban, prevented its achievements and activities from being publicized.

Meanwhile, the Pakistani government has prohibited satellite and cable broadcast of Tolo TV in Peshawar and Quetta, which are host to thousands of Pashto-speaking Afghans. The Pakistani government had once before issued a ban, which appears not to have been enforced.

“This ban by the Pakistan government is against the Universal Declaration of Human Rights and international regulations and should be withdrawn,” said legal expert Nasrullah Estanekzai.

Viewers in Afghanistan have access to PTV (Pakistan Television) and Khybar Network, which broadcasts in Pashto.

Satire writer detained for 10 days

Dr. Khalil Narmgoi, a satire writer and former chairman of Baghlan Department of Health, was jailed on Oct. 29 for a piece published in *Payam-e-Mujahid Weekly* entitled,

“Who is the president - Hamid Karzai or Farooq Wardak?” He was detained by the Office of the Attorney General.

Dr. Narmgoi’s writing criticized the influence of President Karzai’s advisers. In one example, Narmgoi wrote: “Are the appointed ministers the real heads of the ministries or the Farooqs and Luddins?”

Farooqs is a reference to Farooq Wardak, the government minister for parliamentary affairs and the head of the Presidents Office of the Chief of Staff. Jawid Luddin is the director of the Office of the President.

In his article, Dr. Narmgoi claimed that Wardak has too much authority and is influential in appointing and firing senior government officials, including ministers. Dr. Narmgoi also called the former king Nader Shah and his then-interior minister Mohammad Gul Mohammand “oppressors of their time,” which raised some concern among Pashtuns.

Dr. Narmgoi apologized on Nov. 2, but orders for his release were not issued until Nov.7.

Halim Samadi, director of investigations in the Office of the Attorney General said a complaint was issued against Nargmoi by Wardak.

“Dr. Narmgoi stirred ethnic conflict in his article. He invoked the Farooqs and Luddins, and he claimed that he was fired from his job by Farooq Wardak. When the case came to us and Wardak filed a complaint, the Attorney General's Office sent the case to the Commission on Media Violations as per Article 32 of the media law.

“The Commission on Media Violations wrote the prosecution office that if Mr. Narmgoi has evidence that he was fired by Mr. Farooq Wardak, then he is innocent and should not be sued, otherwise he can be sued,” Samadi added.

Attorney General's spokesman Abdul Rab Chambili speaking on Tolo TV said that Dr. Narmgoi was arrested based on an official complaint filed by Wardak.

“During the course of the investigation, Dr. Narmgoi was unable to prove that he was fired because of Mr. Wardak,” Samadi said. “The prosecutors asked Minister of Health Amin Fatemi to clarify the issue and Mr. Fatemi took responsibility for firing Dr. Narmgoi. Therefore, according to the Article 7 of the domestic and foreign crimes law, a person or an organization that fuels ethnic conflict has committed a crime.”

National Union of Journalists President Sayyid Hussain Fazel Sancharaki said that Wardak should have filed his complaint with the Commission on Media Violations,

which is then responsible for referring cases to the Office of the Attorney General. Instead, Wardak directly referred to the Attorney General's Office.

Abdul Hafiz Mansour, the chief editor of *Payam-e-Mujahid Weekly*, claims that Wardak had asked that his publication also be sued. However, the Commission on Media Violations stated that only Dr. Narmgoi was responsible for the article.

Following his release in a phone interview with Media Watch, Dr. Narmgoi said he would not apologize to Wardak.

“I was arrested by police from Pul-e-Khumri and brought to Kabul,” he said. “I was asked to apologize to Farooq Wardak, but I refused because my article did not violate Article 34 of the Constitution. I apologize to the Wardak and Luddin tribes, but I will not apologize to Farooq Wardak because I am a doctor and I belong to every tribe and ethnicity. I hadn’t been indecent to the Wardak and Luddin tribes in my article. I was just criticizing Mr. Farooq Wardak.”

This is not the first case of government officials using their authority to press for the arrest of journalists. Media Watch has highlighted the case of Radio Solh reporter Abdul Qudoos, who was imprisoned for more than 10 months based on accusations leveled at him by a legislator. (Abdul Qudoos was finally released in December. See Media Watch 19 for more details.)

Media Watch urges international foundations and journalists defense unions and the Afghan government to prevent unlawful actions against journalists and to enforce existing laws that protect journalists.

Energy and Water Minister demands dismissal of Ariana TV producer

Minister of Water and Energy Ismail Khan demanded the dismissal of Ariana TV producer Nasir Fayaz following the Nov. 1 broadcast of a report in which his ministry was criticized for not providing sufficient public services.

Khan wrote an official letter of complaint to the TV channel, in which he asked for dismissal of Fayaz. Khan also asked the Attorney General's Office to investigate and prosecute Fayaz, claiming that lies were broadcast. The report aired on Fayaz's program, *the Truth*.

Speaking to Media Watch, Fayaz described the contents of his program.

“The purpose of the episode was to cover the achievements of the Ministry of Energy and Water,” Fayaz said. “I interviewed the former minister of energy and water and talked about the responsibilities of the ministry. The show also talked about the purchase of diesel generators to provide electricity, which didn’t really pay off. The report disturbed Ismail Khan, and therefore he had sent a letter to Ehsanullah Bayat asking for my dismissal.

“The Energy and Water Minister didn’t stop there. He officially appealed to the Attorney General's Office and I was threatened in different ways. Mr. Khuram, the minister of Culture and Youth Affairs, who was invited to Rahim Shah’s concert on the third day of the Eid Festival, backed Ismail Khan, claiming that I had asked for 24 hour-electricity. When my alleged demand was rejected by the Ministry of Energy and Water, I then supposedly organized the show as payback.

“I consider Khuram's allegations against the law and I count it as a dishonor to my reputation,” Fayaz added.

Fayaz said he was summoned by Attorney General's Office and that an initial investigation was completed. He was not summoned again, he added. Despite repeated attempts, Media Watch could not reach Ismail Khan for an interview.

Media Watch believes this case highlights how some government officials seek to block reporters from broadcasting criticisms. One of the essential duties of reporters and media agencies is to report on the government’s workings and to hold officials accountable. Otherwise, the truth will remain masked.

Government issues demand that independent media call war dead “martyrs”

Government officials urged independent media outlets to refer to soldiers who die in battle as “martyrs.” The demand was made following an Oct. 29 cabinet meeting announcement by presidential spokesman Karim Rahimi and confirmed in an official letter from the Ministry of Culture and Youth Affairs.

“Those who die in the war for the freedom of the country are martyrs and the independent media should refer to them as martyr,” Rahimi said.

Sadeq Mudaber, deputy director of the Office of the Chief of Staff, said independent media outlets should take into account “national interest.”

“The cabinet criticized some media agencies for interviewing enemies of the government,” Mudaber said. “The media does not reflect the achievements of the

government. ANA soldiers who die are called “dead,” while they are martyrs. Although the Media Law guarantees freedom of press, the national interests of the country should be a priority above anything else.”

After the administration's announcement, the Ministry of Culture and Youth Affairs issued a letter to several independent media agencies to consider the government's view in their day-to-day reporting. The letter which issued to media outlets on Nov.14 by the Ministry of Culture and Youth Affairs states: “Any Afghan who works within the security forces in the country and dies, they should be called martyrs because martyrs have a special dignity in the religion of Islam.”

Peshro Weekly Editor Dad Noorani said he is against the terminology of martyr. He described the government's demand as “oppressive.”

“The government doesn't have the right to impose words on the media and order them what word to use,” he said. “Regarding this issue, I think this has a religious aspect wherein religious scholars should decide on whether ANA soldiers are 'martyrs.’”

Media Watch believes that imposing specific word or phrases damages the media's impartiality and violates journalism ethics. Reporters should abstain from using charged or emotional words such as 'martyr' in their reporting. The administration ignores this fact. Furthermore, media agencies have to contact government opponents in order to maintain a balance in their report.

During the U.S. war on Iraq, Western media outlets reported the views of the Saddam Hussein government, and the U.S. government never stated that this was against its national interests.

Two things are clearly described in the Constitution and press law, which are the freedom of speech and the right to obtain information. The government's demand to call war dead martyrs is a threat on both fronts. If opponents believe independent media works in the service of the government, they will block access to information and likely threaten journalists. The Taliban previously threatened to kill journalists who prepared war reports based on information provided by Nato and Coalition forces. Furthermore, imposing a specific word or phrase on the media, violates freedom of the press.

RTA reporter beaten up by Kabul Airport security officials

RTA reporter Famarz Sina was beaten up by the security officers while covering a Ministry of Foreign Affairs press conference held at the Kabul Airport on Oct. 17.

“It is a pity that the security officials behave like this with a reporter,” Sina said. “One of them tied my hands to my back and the other started beating on my chest. Other reporters witnessed the attack.”

But a Ministry of Interior official said Sina declined to give details about the incident.

“RTA and the Interior Ministry have close relationship,” said ministry spokesman Zemarai Bashiri. “I personally asked Faramarz Sina about the incident, but he refused to give details. I think he actually broke the law and that’s why he doesn’t want to make it a case.”

Sina denies the claim.

“I didn’t break the law,” he said. “They wanted me to leave the area, but I asked them for their badges to make sure they’re security officials. Because of that, Mohammad Ashraf, a security official, got mad and began beating me. Afterwards, his colleagues also beat me up. I didn’t want to pursue the issue because this is a daily occurrence for journalists, but no one has been punished yet.”

In its Oct. 17 news broadcast, RTA condemned the action by airport security authorities and demanded reparations.

Similar cases in the past involving media workers and security officials have not been investigated by the appropriate authorities, according to Media Watch examination of past cases. In September 2006, for example, Voice of Paktia reporter Obaidullah Sarawzawal was beaten up by ANA soldiers without reason. Ministry of Defense spokesman Gen. Zaher Azimi vehemently denied that ANA soldiers misbehaved (see Media Watch Report 16).

Media Watch condemns attacks by security forces on media workers and urges greater understanding on the part of security forces on the rights of media workers.

Two Pakistani journalists freed from Taliban captivity in Helmand

Two Pakistani journalists Qamar Yosufzai and Salim Shahzad, working for the Star, an English-language daily, were released from captivity on Nov. 26. The pair was taken hostage by the Taliban in Helmand two weeks earlier.

“The reporters were staying in Bagharan district as guests and were released,” said Dr. Hanif, a Taliban spokesman.

The released reporters did not speak to the media after returning to Pakistan.

According to officials in the registration department of the Foreign Affairs Ministry, the Pakistani journalists were not registered as foreign journalists working the country.

Bamiyan lacks media outlets

Bamiyan has just one independent media outlet, Radio Bamiyan. A government publication, *Simai Bamiyan*, stopped publication seven months before and television networks are not available in the province. Residents say they tune to international radio broadcasters for their news.

Mohammad Reza Danish, who heads an NGO named Bahar-e Sazendagi, said Bamiyan used to boast several publications, including *Taban*, *Baztan* and a Bamiyan University paper. All collapsed due to a lack of advertising and donor contribution from the government and the local Provincial Reconstruction Team.

According to Danish, journalists and others have raised the issue of the lack of press to the governor and PRT without any positive result.

Bamiyan Gov. Habiba Surabi, rejected the criticism, saying that the Bamiyan authorities licensed anyone wanting to open a publication. Surabi added that she is unsure as to why the PRT is not assisting local media. PRT officials declined to talk to Media Watch.

Radio Bamiyan is an independent station broadcasting 14 hours daily. However, its reach beyond the provincial capital is limited.

“Our radio is FM wave and covers a very limited area,” said Radio Bamiyan Manager Ali Irfan. He added that efforts are underway to extend the coverage of the station.

Afghan media representatives attend ninth annual public radio summit

More than 500 heads of the public radio participated in the ninth annual summit for International Organization for Community Radio in Jordan (AMARC). Afghan media representation included Nai Executive Director, Abdul Mujeeb Khelwatgar, Radio Sahar Manager Omaira Habib, who represented women-run radio stations, Herat’s Voice of Afghan Youth Radio President, Professor Hazin and Afghanistan Independent Radio Association representative Rozbeh Behroz.

“Summit participants, who came from more than 110 countries, talked about the production of programs and how to improve the quality of their programs to meet international standards,” Khalvatgar said. “On the side, views were exchanged about the information technology and the Internet.”

The Afghan participants applied for official membership to AMARC. AMARC is based in Toronto, Canada and was established in the 1970s with the aim of improving public radio globally.

Ariana Radio launches international broadcast

Radio Ariana will be available globally via satellite by end of November, according to Ariana TV and radio owner Hajji Ehsanullah Bayat. The radio is currently heard in Afghanistan and Asian countries via satellite.

Radio Ariana director Zubair Nasri said the station also will be available via Internet by the end of February 2007.

On the other hand Provincial General Director of Radio Television of Afghanistan (RTA) Amanullah Khalilyar said to the press that RTA launched international broadcast to Asian countries with the support of the Indian government.

RTA is governmental Radio and Television of Islamic Republic of Afghanistan.

RTA Laghman launches broadcast

RTA Laghman is on air. The station is broadcasting via a 100-megawatt transmitter established by the government. The station, which began its trial run in November, covers up to 30 kilometers around the provincial capital of Mehterlam. RTA Laghman was founded more than a decade ago, but the station deteriorated and stopped broadcast during the wars.

“Laghman RTA programs air two hours every night from 7 to 9 p.m. with programming produced in Kabul,” said RTA provincial television director Amanullah Khalilyar. “It is planned that in near future after building studios, the station will produce local programs.”

RTA Laghman chairman Abdul Ahmad Berya confirmed in an interview with Pajhwak Afghan News Agency that station will expand by one hour of local programming in the near future. Berya added that the station still lacks professional technical equipment.

RTA Laghman presenter Zainuddin Haqyar said he hope that the station would be successful; however, the station did not have professional technicians, while technical problems occur frequently, he stated.

First radio station in Uruzgan launched

A radio station has been set up for the first in Uruzgan province following a USAID donation of an FM transmitter to RTA. The station began broadcasting Nov. 29 from the provincial capital of Tirin Kot.

Radio Uruzgan covers Tirin Kot and an area 40 kilometers around the city, according to Qayum Qayumi, a gubernatorial spokesman. The station airs six hours of programming daily.

Qayumi criticized the Ministry of Culture and Youth Affairs for being inattentive to the need for media in Uruzgan. The ministry's provincial department head Hamidullah also complained about a lack of technical equipment for the station, and asked that the ministry provide more assistance. The other only media that exists in Uruzgan is a monthly publication called *Uruzgan*.

The southern province is considered one of the most volatile provinces of the country. U.S Special Forces and armed government opponents are active in the province.

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Note: To maintain the confidentiality and to protect sources it was not possible for Nai to corroborate the incidents by carrying out additional investigations.

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Nai - Supporting Afghanistan Open Media

Media Watch Report Afghan Journalism Freedom Report #19

Sediqullah Tawhidi
Media analyst

In this issue, Media Watch highlights the recent clash between Radio Television Afghanistan director and the minister for culture and youth affairs. Minister Abdul Karim Khuram made a senior appointment in RTA without consulting its director, Najib Roshan. According to the Media Law, the minister should have consulted with Roshan and then sought presidential approval for the appointment. The appointment of Abdul Ghani Mudaqiq as director of the radio division of RTA highlights how the administration has once again contravened the rule of law by ignoring the procedures outlined in the Media Law. Furthermore, this case highlights that the independent commission that is meant to oversee RTA is prevented from being fully functional.

Media Watch also investigates the following cases:

- Tolo TV presenter removed following alleged government pressure
- Eqtedar-e-Millie Weekly secretary summoned by prosecutors for writing critique of attorney general
- Kabul Weekly closes due to financial problems
- Abduction of two German journalists denied by officials
- Balkh province journalists protest proposed amendments to Media Law
- Kabul-based radio station organizes peaceful public protest
- Nai Journalism Training Radio begins trial broadcast
- New Herat and Kabul TV stations launch
- Badakhshan RTA building reconstruction begins

RTA Chairman, Minister of Culture and Youth Affairs clash over appointment

RTA Chairman Najib Roshan and Minister of Culture and Youth Affairs Abdul Karim Khuram have clashed over the appointment of Abdul Ghani Mudaqiq as director of the radio division.

Mudaqiq, a former Ariana TV news department director, was appointed to the post by a presidential order on Dec. 20. His appointment angered Roshan, who told journalists in a press conference that he was not aware of the appointment. Roshan said Khuram proposed Mudaqiq to the president without consulting him.

"Due to the RTA chairmanship's ignorance about the appointment of Mr. Mudaqiq, I have asked for a second order from the President," Roshan said. "Therefore, I kindly ask Mr. Mudaqiq not to come to work until a second decree is delivered from the President."

The appointment of Mudaqiq violates the Media Law, according to Afghanistan National Journalists Union President Sayyid Hussain Fazil Sancharaki.

"According to the law, RTA is a public and separate entity from the Ministry of Culture and Youth Affairs, therefore the RTA director and the National Radio and Television Commission, which is based in RTA, are in the position to recruit or dismiss RTA employees," Sancharaki said. "On the other hand, since RTA has not been separated from the Ministry of Culture and Youth Affairs to date, the ministry and the head of RTA can appoint RTA employees by consultation."

The Media Law states that any dismissal or appointment in key RTA departments should be proposed by the RTA director to the National Radio and Television Commission, following which presidential approval can be sought.

As far as the appointment of Mudaqiq is concerned, Media Watch believes that legal procedures were not followed. Likewise, the National Radio and Television Commission, which should have nine members according to Article 30 of the Media Law, currently has only five members. The law states, "For the purpose of regulating the activities of National Radio & Television (NRT) in a better fashion, a National Radio and Television Commission shall be established. The Commission comprised of nine members shall be formed for a period of four years." The commission has not been given its due authority and remains paralyzed.

Media Watch believes that if the laws were applied, the conflict between the RTA director and minister could have been avoided. Given the creation of legal procedures and a rule of law process, it is disturbing that the administration – which is charged with executing the law – is not following the law itself. It's worth noting that the lack of rule of law has been a consistent problem in Afghanistan that has undermined successive administrations.

Tolo TV presenter removed after alleged government pressure

Tolo TV presenter Razaq Mamoon has alleged that he was fired Nov. 28 as a result of political pressure from government officials. Mamoon hosted the controversial *Gufteman* talk show, which examined current affairs, political and economic issues. Senior officials and experts frequently appeared on the show.

Speaking to the Media Watch, Mamoon said: "*Gufteman* was an exceptional talk show in the history of Afghan media that was executed with an absolutely new approach. *Gufteman* monitored the government's activities and exposed each and every deficiency and scarcity. *Gufteman* was based on freedom of speech and it was against domestic terrorism, administrative corruption, oppression and ideological motivations, and the government felt that *Gufteman* was against it."

Mamoon alleges that four senior government officials pushed for the program's end. He named Farooq Wardak, the minister of Government for Parliamentary Affairs and head Office of the Chief of Staff, Dr. Rangin Dadfar Spanta, the minister of Foreign Affairs, Zarar Ahmad Muqbel, the Interior Minister and Jawid Luddin, the director of the President's Office.

"They acted against the talk show in cooperation with each other," Mamoon alleged.

Mamoon did not blame Tolo TV for his dismissal.

"Tolo TV has no fault in this issue," he said. "The channel defended me as much as it could, but when the pressure increased and jeopardized the channel's interests, it decided in my absence to close down the show," he said.

Tolo TV CEO Sediq Ahmadzada rejected Mamoon's allegations.

"This allegation of Mamoon is absolutely wrong and Tolo has never come under government pressure," he said. "Mr. Mamoon left the job due to a deduction in his salary. The show will still be produced and broadcast."

Gufteman is still on air and is being hosted by Massood Qiam and Mohammad Abdullah.

Afghanistan National Union of Journalists President Sayyid Hussain Fazil Sancharaki told Media Watch that political pressure could have been a factor in Mamoon's dismissal.

"Our assumption is that not only were government officials involved in the issue, but powerful people from outside the government were also negative about the show and were claiming that Mamoon was acting as a prosecutor and was investigating interviewees," he said. "But it's not clear whether he was fired because of these pressures or if there were other motives."

Ministry of Foreign Affairs Spokesman Sultan Ahmad Baheen said Dr. Spanta did not act against Mamoon or the show.

"The Foreign Affairs minister is an advocate of freedom of expression and he would never consider bring such a pressure to media," Baheen told Media Watch. "Dr Spanta was not involved in Mamoon's removal and never urged the channel to do so."

Media Watched tried contact Dr. Wardak, but due to engagements, he introduced a spokesman, Asef Nang, to speak on his behalf.

"Dr. Farooq Wardak has no information about the dismissal of Mr. Mamoon from Tolo TV," Nang said. "The channel is independent and has the authority to hire or dismiss its employees."

In a phone interview with Media Watch, Luddin strongly rejected Mamoon's claims.

Interior Ministry spokesman Zemarai Bashiri also rejected the accusations.

"The Interior Ministry is fulfilling its own duties," he said. "The TV channels are fully free in appointing and firing their staff and the Interior Minister Zarar Ahmad Muqbel has never interfered in the media's personnel affairs."

Media Watch believes that if Mamoon's claims regarding pressure from government officials are proved to be true, it will signal a new era of oppression on the media. *Gufteman* was a critical program that created headaches for officials with its serious examination of government inaction and deficiencies. A lack of such critical programs in the media would hinder the checks and balance on the government by the fourth unofficial branch and push our society towards oppression. Media restriction will not only be ineffective, but will serve as a barrier to the country's development.

Eqtedar-e-Milli Weekly secretary summoned by prosecutors for writing critique on Attorney General

Abdul Shukur Akhlaqi, the secretary of Eqtedar-e-Milli Weekly, wrote an article criticizing the Attorney General's war on administrative corruption. Following its publication, Akhlaqi was arrested.

"On Nov. 4, one day after the release of the article, the Attorney General phoned me and I was asked if the published article was mine," Akhlaqi told Media Watch. "I told them that yes, the article was written by me. I was then asked to go the Attorney General's Office to give further details, but as soon as arrived I sensed that the situation was different. I wasn't asked to go there to answer a number of questions about the article because their questions indicated that they were not happy with the article."

Eqtedar-e-Millie Editor-in-Chief Sayyid Mohammad Ali Rezwani said Akhlaqi's questioning was illegal.

"If a violation of the law took place, first of all, it should have been investigated by the Commission on Media Violation, and if deemed necessary, the case should have then been referred to the justice departments," Rezwani said. He added that the Office of the Attorney General asked him to make sure that Akhlaqi would not try to leave the country.

Mohammad Wahid Gharwal, a member of the Commission on Media Violation and head of Kabul University's Faculty of Journalism said: "There have been many cases of journalists being bothered or detained without the commission being informed, which means that journalists were first prosecuted and questioned, and then the issue was referred to Commission on Media Violations."

Attorney General Abdul Jabar Sabet denied questioning Akhlaqi.

"I haven't questioned Mr. Akhlaqi," he said. "Only Dr. Narmgoi was once detained and investigated based on a legal complaint from Mr. Farooq Wardak, the government minister for parliamentary affairs. Personally, I haven't illegally detained or questioned anyone because I am a lawful person."

Media Watch tried to speak with the prosecutor who reportedly questioned Akhlaqi, but he declined to comment.

Akhlaqi's detention was in violation of the rule of law. Media Watch expresses concern over the rising number of journalists being detained or questioned by prosecutors without a referral from the Commission on Media Violations. The Attorney's General's Office, as an institution promoting the rule of law, should not act outside the law or abuse its judicial authority.

Kabul Weekly closes due to financial problems

Kabul Weekly Editor-in-Chief Faheem Dashty wrote in the newspaper's Nov. 26 edition that the paper is shutting down due to a lack of money. Kabul Weekly was among the first newspapers to begin publishing following the fall of the Taliban in 2001.

"Basically it was a financial problem," Dashty told Media Watch. "We tried to avoid this problem by reducing our expenses, which helped the paper survive for another six months, but this effort also failed to work and so the paper was closed down.

"Probably some political factors also helped in discouraging donor organizations to assist," he added.

Many print publications are struggling to survive.

The Killid Group Executive Director Aziz Hakimi said Killid and Mursal magazines also face serious financial challenges, but the organization is working to prevent their closure.

"Our aim has been to provide readers with necessary information, but lack of funding jeopardizes the survival of the magazines," he said. "We are using different approaches to seek funding for the magazine, but how far we make it is not clear."

According to the Article 2 of the Media Law, the government must "promote and develop free, independent and pluralistic media."

When asked why the government has not done more to support independent media, Deputy Minister for Culture and Youth Affairs Mubarez Rashedi said: "Although we can't support the independent media financially, we have given full abstract support to them and we regret the closure of Kabul Weekly."

Afghanistan National Union of Journalists President Sayyid Hussain Fazil Sancharaki said publications that struggle will survive.

"After five years, only the publications that follow journalism standards and those that have gone through growing pains will survive," he said. "They will continue operating because of their passion for their work. They will carry the media light and light the way for others."

Media Watch recognizes the rapid growth and decline of the print press over the last five years. Several hundred publications are registered with the Ministry of Culture and Youth Affairs, though only a small percentage of papers are still in print. The two main reasons for the closure of so many newspapers has been a total dependency on foreign donors and a lack of government support to the independent media.

Media experts believe the best way to ensure the survival of print publications is to merge several publications under one name.

Abduction of German journalists denied by officials

On Dec. 5, reports emerged that two German journalists were abducted on the Kandahar-Uruzgan highway. The alleged kidnappings were first reported by the Afghanistan NGO Safety Office. Afghan and German government officials denied the reports.

"The released report by ANSO about the abduction of two German journalists was absolutely incorrect and no German reporter has been abducted," said Tubis Isna, a German Embassy press office deputy.

ANSO officials later admitted that their organization made a mistake.

"Two French NGO workers, whose abduction had been planned, were stopped on the Kandahar highway," ANSO employee Ruhollah told Media Watch. "They were not reporters and our report was mistakenly released."

Media Watch again reminds the media and others not to release reports without confirming the accuracy of the information. In the rumor-rich context of Afghanistan, such reports can create confusion and fear among media workers.

Balkh province journalists protest proposed amendments to Media Law

Journalists from Balkh province held a gathering on Dec. 7 to protest reported amendments to the Media Law, which is being reviewed by Parliament. According to Media Law experts and lobbyists, the proposed amendments would impose restrictions on the media.

"The National Union of Journalists expresses its concerns to the religious and cultural commission of the Lower House and asks the commission to approve the law without bringing any amendments," Arman-e Milli Editor-in-Chief Mir Haidar Mutahar said.

Media Watch believes that legislators must carefully review the Media Law, which was released by the Karzai Administration in December 2005. Any amendments should be in favor of freedom of the press and freedom of expression.

Kabul-based radio station organizes peaceful public protest

Kabul citizens honked their horns on Dec. 13 in response to a campaign initiated by Radio Watandar, 87.5 FM. The "We Want Electricity" campaign was a form of public protest, according to station officials. The campaign marked the first time that an independent media outlet encouraged the public to engage in a peaceful protest to demand better public services.

"This was a good program because it turned the government's attention towards the problem," said Ghulam Ali, a Kabul taxi driver who had honked his horn in support of the campaign.

Radio Watandar officials said that lack of electricity has been among the chief complaints of its listeners since the station launched in October 2005. Kabul residents have limited access to public electricity in winter. Radio Watandar has a format where listeners leave messages with requests, comments and complaints on a range of issues.

"The radio station alerted its listeners that on Dec. 13, 2006, when they hear the sound of horns on the radio they should honk their car horns," said Radio Watandar owner Mirwais Social. "After the campaign, in which most drivers participated, electricity service improved in Kabul. I don't know if the impact was our radio campaign or not, but

I can say the improvement is declared simultaneously with our campaign and now the problem has been solved to some extent."

According to some anecdotal reports, police attempted to prevent drivers from honking. Kabul Police Department spokesman Fahim Kohdamani denied this.

"If such a thing took place during the campaign, it was only because of a lack of awareness on the part of some police," he said. "There were no orders from the police to stop the campaign."

Nai Journalism Training Radio begins trial broadcast

Nai launched the country's first and only educational radio for media professionals on Dec. 25, 2006. The station, called Radio Nai ('reed flute') began broadcast on 94.5 FM in Kabul City.

The station's inaugural ceremony was attended by Nader Shah Aryan, the chairman of the frequency department of the Ministry of Communications, Sayyid Hussain Fazil Sancharaki, president of the Afghanistan National Union of Journalists and media professionals from a range of organizations.

In his opening remarks, Nai Executive Director A. Mujeeb Khalvatgar said that the radio would strive to provide professional trainings for journalists. Radio Nai will begin by broadcasting eight hours daily.

"The growth of TV and radio station is very beneficial for the country," said Aryan. "Before, journalists were only trained in the university and journalism courses, but this radio can train a large number of journalists at one time."

Sancharaki said he appreciated the creation of the station.

"As reporting and media work is a new phenomenon in Afghanistan and has yet to reach its place, therefore we must know better what responsibilities we have to our society and our profession," he said. "We must understand how to carry out our responsibilities in the fragile situation of our country. And it's good that Radio Nai has paid attention to this fact. Reporters can learn a lot by listening to this radio."

Radio Nai will act as a training platform for journalism trainees and educate the public and media workers about journalism ethics.

New Herat and Kabul TV stations launched

A private television station called Hari TV has been launched in Herat city.

"Hari TV started its trial broadcast three months after its establishment," Hari TV Chairman Sayyid Najeeb Yousefi said in a speech during the station's inauguration. "The channel goes on air four hours every night, which includes political, cultural, social and other entertainment programs."

Herat's Department of Culture and Youth Affairs Director Wali Shah Bahra said he considers the establishment of private TV channels a cultural revolution. Two other private TV channels, Ghoryan and Saghar, exist in Herat province.

Meanwhile, a new TV station will be launched in Kabul City in March. Noorin TV will be available in Kabul only, but will expand to other cities, according to station officials.

"Noorin TV has been created by Hajji Mohammad Arif Noori, a Panjshiri businessman," said Noorin TV official Sayyid Halem Hashemi. "The station will try to cover Afghanistan's cultural issues."

Abdul Hamid Mubarez, a senior advisor to the Afghanistan National Union of Journalists, called the establishment of this channel an effective step.

"Afghan TV channels are becoming political, so cultural TVs are very much needed and the launch of Noorin TV is good news."

Badakhshan RTA reconstruction begins

The construction work of Badakhshan RTA building, worth 900,000 afghanis began on Dec. 10. The former RTA building was destroyed in an electrical fire caused by poor wiring.

"The building contains 22 rooms, which will meet RTA's basic technical needs," said RTA Badakhshan Director Sayed Mahmood Jalali.

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Note: To maintain confidentiality and to protect sources it was not possible for Nai to corroborate the incidents by carrying out additional investigations.

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Media Watch Report Afghanistan Journalism Freedom Report # 20

Sediqullah Tawhidi
Media analyst

The spread of insecurity in the country presents serious challenges to journalists and the media community in general.

On one side, the Taliban continue to threaten lives of reporters, and, on the other side, the government authorities continue to put pressure on them. Such actions are causing great un-ease in the media circles of Afghanistan and raise concerns that a new era of government censorship could be on its way in to the country. Threats from Taliban and pressures from government on media outlets automatically cause self-censorship resulting in poor freedom of expression and reporting.

The Taliban continues to accuse journalists of backing the government of Afghanistan and the governmental circles deem that journalists and media outlets are trying to weaken them by broadcasting news and programs critical to the government. Aside from this, what is clear is that journalists continue to carry out their duties and endeavor to develop and broadcast un-biased news and critical programs in order to improve the overall organization level of the State – not to discredit it. Without an independent media, that is unafraid to criticize the establishment the people of Afghanistan would not be able to access the truth, it is imperative that the media remains independent from the state.

In this MWR, the following issues are investigated:

- Afghan Journalist, Anwar Saleh, killed in Hangu area of NWFP, Pakistan
- Sharif Hasanyar, news coordinator of Tolo TV, detained by The National Security Directorate
- Resignation of Najib Roshan, Director of (RTA) National Radio and TV
- Taliban threatens reporters and those working in the media
- Release of Abdul Qudoos from jail, reporter for Radio Sulh in Jabulseraj.
- The Indian movie “Kabul Express” banned in Afghanistan.
- Ban imposed on the Kabulpress website by Ministry of Foreign Affairs
- Pak-Afghan Journalist Association [*sec: Media Association*] formed in Kabul
- Afghanistan Press Club to be launched by *Nai Supporting Afghanistan Open Media*
- The State-run TV of Khost province relaunched
- First issue of “*The journalist*” published by Afghanistan National Union of Journalists

Afghan Journalist, Anwar Saleh, killed in NWFP, Pakistan

Anwar Saleh, a reporter from Afghan Zhagh Weekly, was killed by unidentified gunmen in Hangu area of NWFP, Pakistan.

Anwar Saleh worked with the State-run Radio of Khost province, the BBC and most recently with Da Islam Zhagh Weekly. He was beheaded in Hangu area of NWFP, Pakistan, by a gang of unidentified armed men.

Dr. Habib Shah, the editor-in-chief of Afghan Zhagh, said that Anwar Saleh was about to write religious articles and satirical poems for the weekly newspaper. Concerning the killing of the reporter, he told Media Watch that “one of the reasons behind the killing of Anwar Saleh was his religious debates and arguments with Taliban in Hangu since he had sufficient religion related knowledge and had gone to Pakistan for further education. Anwar Saleh was also questioning the actions of the Taliban through his satirical poetry.”

Dr. Habib Shah added: “When I talked to his family, they said they were also sure that the Taliban are responsible for his killing since Anwar Saleh had no enemies.”

Engineer Mirwais, editor-in-chief for Da Zwan Zhagh, in Khost province, who used to be a colleague of Anwar Saleh, also believes that he was killed by the Taliban.

Mr. Mirwais told Media Watch: “The Taliban have widespread operations in the frontier areas of Pakistan and Afghanistan, it is very likely that they killed him due to his opposition to their actions.”

Media Watch made an attempt to contact the family of Anwar Saleh but the family had traveled to Pakistan for his funeral procession.

An important point to stress is that the Ministry of Information and Youth was not aware of the murder of Anwar Saleh. The spokesman of the Ministry, Mr. Hameed Nasiry Wardag, told Media Watch: “So far, we have no information in this regard.”

Media Watch believes that the killing of Anwar Saleh demonstrates that Afghan refugees, journalists in particular are facing real danger in Pakistan and that the Afghan Government should officially notify its Pakistani counterpart of its responsibilities in this regard.

It seems that the Ministry of Culture and Youth was not notified of Anwar Saleh’s murder. This shows a total lack of attention from the Government of Afghanistan to the issue of freedom of speech. According to the Constitution, the government of Afghanistan is obliged to protect the lives of Afghan nationals. So far, the government has failed to fulfill this obligation.

Sharif Hasanyar, news coordinator of Tolo TV, detained for 30 hours

On 2nd of Dalwa, 1385 [Jan, 22, 2007], Mohammad Sharif Hasanyar, a reporter and news coordinator for Tolo TV was detained by officials of The Department# 90 The National Security Directorate. The reason given for his detention was his relationship with Dr. Hanif, the former spokesman of the Taliban who was recently arrested by security forces. Hasanyar was released after spending more than 30 hours in custody.

Concerning the detention of Mr. Hassanyar, Media Watch was told by Mohammad Sediq Ahmadzada, head of the executive board of Tolo TV: “the authorities of Department#90 of the National Security Directorate came to the Tolo TV office and wanted Mr. Hassanyar to accompany them, but the Tolo TV management requested their ID cards and an official letter of inquiry. The officials came back with an official inquiry letter issued by the aforementioned Department of the National Security Directorate. They then assured Tolo TV authorities that Mr. Hasanyar would only be questioned for half an hour regarding a Pakistani whom, they claimed, was acquainted to him. However, Mr. Hasanyar was held in custody for more than 30 hours and was released in the evening of 3rd of Dalwa, 1385 [Jan, 23, 2007].”

Halim Tanwir, Director of Afghanistan International Press Center and Advisor to The Minister of Culture and Youth, told Media Watch: “Concerning such cases, the Ministry of Culture and Youth has a commission entitled ‘Commission on Media Violations’ which investigates media violations and, when necessary, refers cases to justice authorities. Such steps have not been taken in the case of Mr. Hasanyar. We have not been contacted by the National Security Department and are not aware of the case.”

Mohammad Sharif Hasanyar talked to Media Watch after his release from custody He believed the reason for his detention was his telephone contact with the former spokesperson of the Taliban and said: “Initially the National Security authorities told me that a Pakistani admitted having telephone contacts with him. However, after being taken to Department#90, I was asked about the reason for my contact with Dr. Hanif,, I told them that I was a journalist and, according to the principles of journalism I have the right be in contact with parties opposed to the government. Fulfilling such a duty is in no way an indication of personal inclination towards the Taliban and my conversation with Dr. Hanif only contained news related to fighting.”

He added: “In reply to the inquiries made by Department#90, I replied that media work requires establishing contacts with different sources because news should be impartial and un-biased.”

In a news conference at Setara Hotel on 4th of Dalwa 1385 [Jan, 24, 2007], Sayyed Aqa Fazel Sangcharaki, head of The Afghanistan National Journalists Union, condemned the action of The National Security Department as a violation of the applicable laws of the country. He said: “According to the Law on Mass Media, the National Security Department must refer such a case to the Ministry of Culture and Youth. It is then the decision of The Commission on Media Violations whether the contact between a journalist and the former spokesman of Taliban is a crime or not. If Mr Hasanyar is found guilty the case will be passed to the National Security Department. However, this process was not respected and the journalist was detained without legal authorization.”

Furthermore, following a resolution issued by the Afghanistan National Journalists Union, the State authorities are required to comply with the provisions of the Law on Media and governmental bodies should avoid hastiness in the detention of journalists.

Qasim Akhgar, head of the Freedom of Speech Association, also regarded the detention of Mr. Hasanyar as a violation of the principles of Freedom of Speech and Open Media. He asked journalists to stand strong against what he called the pressure of government against media outlets and journalists.

According to the laws of Afghanistan, there are three crimes which can lead to detaining someone: material, moral or legal fault.. In this case, none of those elements apply and, therefore, the security

authorities should not have detained him. According to the 27th article of the Constitution, “no deed shall be considered a crime unless ruled by a law promulgated prior to commitment of the crime.”

So far, contacts between journalists and an opponent of the Afghanistan State has not been ruled as a crime in the Law on Media or the Penal Code. The Tolo TV journalist was therefore detained without legal authorization. Actions taken by State Authorities should comply with the applicable laws. The authorities should refrain from breaching the law as they are the very ones who enforce them.

It is likely that through such actions, the government is trying to create a climate of self-censorship where the media will refrain from broadcasting impartial news and programs critical towards government. At least, there are circles inside the government which can not tolerate Freedom of Expression and make the most of the smallest pretext to apply pressure on the media and journalists. However, Freedom of Expression and Freedom of media have been clearly stipulated in the mother law, the Constitution of the country; the State and people of Afghanistan are obliged to respect it.

Najib Roshan, Director of National Radio and TV, resigns due to recent tensions with the Minister of Culture and Youth

Najib Roshan, who submitted his resignation letter to the President of the State, says he resigned from his post due to the hindrances created by Abdul Karim Khuram, Minister of Culture and Youth Affairs.

A paragraph of his resignation letter, states that “the first mission the media has in our country is to ensure information flow and to improve public awareness, regardless of ideological beliefs and free of tribalism. How can the framework of a system be called pluralistic and non-ideological while its content and motives are totalitarian?”

In an exclusive interview with Media Watch, Mr. Roshan said: “I resigned as an objection to the totalitarianism of some circles inside the system. Mr. Khuram is thinking about Talibanisation of the system and was trying to restrict freedom of the National Radio and TV. I tried to compromise with him as much as possible and continue the reforms in the National Radio and TV. He continued to restrict my work to the extent that he barred the kids who would prepare TV programs from entering the premises of the National TV. I was therefore compelled to resign from this post.”

Based on Sanjar Suhail’s claims, the editor of RTA news room, the number of the employees who were fired reaches up to 54, 3 of them including Sanjar Suhail were official employees. But Najeeb Roshan told earlier Media Watch that almost 80 employees were fired by Karim Khuram.

Tensions with the Ministry of Culture and Youth started when Abdul Ghani Mudageq was appointed by the President of the State as the Head of the Broadcasting Department of Radio Afghanistan. Najib Roshan, alleged that the Minister of Culture and Youth subsequently sacked around 80 employees of the National Radio and TV Directorate as they were not hired officially.

Regarding the appointment of Mr. Mudageq, the Minister of Culture and Youth told Media Watch: “Mr. Roshan never paid attention to Radio Afghanistan and I therefore had to appoint another person to this post.” Concerning the dismissal of employees hired by Mr. Roshan, the minister added: “They were working without any contract and were receiving excessively high salaries. Their work was therefore illegal.”

Mr. Roshan rejected the claim of Mr. Khuram and alleged that the abovementioned employees were hired with legal contracts and were able to provide efficient work in TV productions. He acknowledged, though, that the reforms in Radio Afghanistan did not take place due to the attention required by the National TV.

On this matter, Roshan said, "Since we faced a serious competition with private TV outlets, we tried to prioritize reforms in the TV."

Media Watch views the tension between Mr. Khuram, Minister of Culture and Youth and Mr. Roshan, the ex-director of National Radio and TV to be an ideological difference rather than an administrative problem.

The political back ground of both of them shows that they were likely to stand against each other. Mr. Khuram was previously a member of a fundamentalist party, the Islamic Party, which was headed by Gulbudeen Hekmatyar. Mr. Roshan clearly accused him of having fundamentalist ideology, while the supporters of the Minister of Information and Culture accused Mr. Roshan of being a member of the Shula-e-Jawid communist party. It is unfortunate that political differences have caused good staff to lose their positions.

On the other hand, the National Radio and TV department have a legal obligation to move towards becoming Afghanistan's public broadcaster, not a government entity. The present situation shows that the government is trying to continue to keep these national media outlets within its framework and to restrict their legally stipulated freedom.

Some elements inside the system are trying to impose restrictions on media and to control state-run media in order to launch programs in support of the system. It has been demonstrated that in such cases, the people will turn to foreign media to obtain information.

Taliban threaten reporters and media outlets via messages and telephone calls in the South and East of the country

Recently, a letter was received by Lal Padshah Azmoon, a reporter at Radio Ashna - VOA in the eastern zone. The letter was signed by a person named Qari Abdul Rahman, military representative of the Taliban in the eastern zone. It contained a serious threat to the lives of Mr. Azmoon and other journalists in the provinces of Nengahar, Laghman, and Kunar.

Lal Padsha Azmoon, told Media Watch, "In the letter that I received, journalists have been accused of biased reporting and of launching pro-governmental propagandas. In this letter, the Taliban have warned that if journalists publish any war related figures provided by the government and do not publish the figures provided by the Taliban concerning casualties, their lives will be at risk."

Mohammad Zia Bomia, chairman of the Afghanistan Committee for Defending Journalists expressed concern and alleged that, in the mentioned letter, not only Lal Padsha Azmoon, but also some other journalists and media outlets such as Tolo TV and Pajhwok News Agency have been threatened and accused of violating neutrality and siding with the United States of America.

In addition, journalists of foreign media outlets in the southwestern provinces of the country also complained that some local Taliban commanders threatened them via telephone calls and required them to leave the area.

A BBC broadcast stated that: “The mentioned commanders are not famous Taliban leaders, but they can create problems for journalists in areas under their control.”

Furthermore, Mohammad Amin Mudageq, director of Radio Azadi in Kabul, told Media Watch: “the mentioned threats are made against all journalists and media outlets”

Aimal Pesarlay, head of BBC Radio office in Kabul, confirmed the matter and said that due to security problems, he could not reveal the names of the journalists who were threatened. It is worth highlighting that despite communication of threats through telephones, the Taliban have also entered journalists homes and threatened them directly. Though, Fazel Rahman, journalist at Radio Ashna- VOA in Qandahar province, expressed he was not aware of the threats.

This is proof that the Taliban are not happy with the way journalists conduct their work . They want to intimidate media outlets to publish reports in their favor.

Media Watch expresses concern about the matter and requests State Authorities to pay attention to the security of foreign and domestic media journalists.

However, the State of Afghanistan endeavors to impose restrictions on media rather than prevent such threats. Thus they face the media with yet another challenge.

Release of Abdul Qudoos from jail, journalist for Radio Sulh [Peace] in Jabulseraj

Eleven months, ago while Abdul Qudoos was attending a training course at Nai Supporting Afghanistan Open Media, he was arrested by the police of Parwan Province on the charge of attempted murder on Ms. Samia Sadat, an MP elected from Parwan Province.

Abdul Qudoos was taken to the Court on Crimes against Domestic and Foreign Security, but the court order was adjourned. On 11th of Dalwa, 1385 (Jan, 31, 2007), he was declared innocent. However, he remained prisoner for another week. At that time, Abdul Jabar Sabit, Prosecutor General, told Media Watch: “If Mr. Qudoos has been declared innocent by the court; I am ready to issue his release order right away.”

After spending 11 months in custody, Abdul Qudoos was set free on a court order issued one week before.

He told Media Watch: “I underwent tough times during those 11 months. Nine times, I was summoned to the court but the claimant, Ms. Samia Sadat, was absent. There was no evidence concerning the accusation. I spent the period in prison only due to the political influence of Ms. Sadat. After I was declared innocent, Abdul Jabbar Taqwa (governor of Parwan Province) convened a gathering of local elders in order to restore her dignity by making a peace deal between us since she had made a false claim.”

He added: “They decided in my absence that I will not talk to media about this case and that I will not claim the restoration of my dignity and rights.”

Mr. Taqwa said: “I tried to replace enmity and opposition with peace and understanding so that this case could be over. In this meeting, Ms. Zakia Zaki, director of Radio Sulh- Jabulseraj, was present

and the local elders decided that the case should be over. Ms. Sadat declared in front of all members of the meeting that she has neither now nor will in the future have any claim against Abdul Qudoos.

Media Watch attempted to contact Ms. Samia Sadat, but with no success.

Media Watch believes the case of Abdul Qudoos highlights the personal influence high ranking officials have on the judicial process.

Laws of Afghanistan stipulate that the court shall issue a decision within thirty days concerning the innocence or guilt of the accused, while the journalist of Radio Sulh spent 11 months in custody without such a decision.

No authority accepts responsibility for the suffering of Abdul Qudoos during his time in prison. Neither the claimant and the justice authorities nor the prosecutors can compensate the mental and material losses he suffered.

Indian Movie Kabul Express banned in Afghanistan

The movie “Kabul Express”, produced by the Indian Company Yash Raj, was officially banned for insulting a tribe of Afghanistan.

The film entered the Afghan cinema market on 24, 09, 1385 (Dec, 15, 2006) and resulted in an outcry.

On 15, 10, 1385 (Jan, 05, 2007), a number of people gathered in Khatam-ul-Anbia Mosque in Dasht-e-Barchee area of Kabul City and requested a trial for the movie director and Afghan actors.

On 18, 10, 1385 (Jan, 08, 2007), the Cabinet of Ministers ordered an investigation into the case and an inquiry on Hanif Hamgam, the Afghan actor in the film. The Ministry of Culture and Youth also issued a notice, banning the film in Afghanistan.

Abdul Karim Khuram, Minister of Culture and Youth told Media Watch, “We banned the broadcast of the film through TV networks and cinemas in Afghanistan since it contained, humiliation of a tribe from our country. He added: “In addition, CDs of the film were removed from the market. The decision of the Cabinet of Ministers to question Hanif Hamgam does not mean punishing him. This is only an order to make an investigation.” However, when asked what type of humiliation exists in the film, the Minister of Culture and Youth said he had not yet seen the movie.

In an interview with the National TV, Kabir Khan, director of Kabul Express, alleged that there was no humiliating conversation in the film. He claimed that this version of the film had been stolen before entering Afghanistan.

Concerning whether the director of a film bears responsibility or the actors, Engineer Latif Ahmadi, Head of Afghan Film Directorate, replied to Media Watch: “The responsibility for each film remains with the director; and actors play their role only as instructed by the director.”

Engineer Latif Ahmadi added: “Yash-Raj came to Afghanistan with the agreement of the government of Afghanistan and the Afghan Film Directorate studied the script. In the original story, there was no indication of humiliation. Afghan Film and Azim Films Company provided logistic support to Yash-Raj Company.”

On 17, 10,1385 (Jan, 07, 2007), Hanif Hamgam, told Pajhwok New Agency: “For a few days, I have received threatening telephone calls.”

The story of the controversial film “Kabul Express” is about two Indians and one American journalist who enter Afghanistan after the collapse of Taliban and are held hostage by a Pakistani Taleb. The Taleb wants to go to Pakistan while using the hostages as shields. Along the way, they reach an area where the driver tells the Indian journalist that they are in a Hazara region. The journalist asks: “What is a Hazara?” and the driver replies: “Hazara is a tribe that hits nails in the heads of people.” At that moment, the Taleb kills the Hazaras and says: “Were I not here, you would have all died.” But the driver holds his gun pointing to the Talib and says: “You are a dog like them and must stay among them.”

Apparently, the film of Kabul Express resembles Istanbul Express which was made by Bollywood and depicts the post World War II killings in Turkey.

Upon an evaluation of the matter, Media Watch concludes that the decision taken by the Cabinet of Ministers seems irrational on two grounds.

Firstly, why was the film’s storyline not thoroughly studied and the scripts not read? Secondly, according to the laws of Afghanistan any company that enters the country is obliged to submit the storyline to the Ministry of Culture and Youth prior to its entry.

Whenever a company obtains the agreement of the Afghan Film Directorate, the actors and director can then begin their work. Concerning Kabul Express this process did not occur. Firstly, the company entered Afghanistan and only after entry was the scenario was delivered to the relevant authorities. The government of Afghanistan paid more attention to the safety of the film’s hero (John Abraham) rather than the plot, and appointed sixty soldiers [the police] as his security guards.

Secondly, as told by the head of the Afghan Film Directorate, the responsibility of a film lays with the director, not the actors. Therefore, the order to make an inquiry in to the Afghan actor should have not been issued.

It is evident that the Ministry of Culture and Youth should have been aware of the filming process since each country has to protect its own national interests. Respect to the tribes resident in Afghanistan in the interest of all Afghans. Production companies and foreign media outlets that are resident in Afghanistan should consider such sensitivities in their productions.

Media Watch believes this case is more about lack of attention from the Afghan government rather than offences committed by the actors or the director. The government should have studied the story more carefully and should have been aware of the filming process. Concerning Kabul Express, the government, esp. the Ministry of Information and Culture should acknowledge its mistakes and not repeat them in the future.

Web site *Kabul Press* blocked for two days at the Ministry of Foreign Affairs (MoFA)

Kamran Mir Hazar, in charge of www.Kabulpress.com, a website dedicated to news, has alleged that the site was blocked for two days at the Ministry of Foreign Affairs.

Mr. Mir Hazar told Media Watch: “Kabulpress, a website of news, was filtered out for two days at the Ministry of Foreign Affairs and the access to the site was blocked for MoFA employees”

He said: “MoFA has installed a filter on its server and therefore the Kabul Press site was blocked. I talked to Sultan Ahmad Baheen, spokesman of MoFA and two days later, I was informed that Kabulpress was accessible at MoFA.”

Concerning filtering out internet sites in Afghanistan, Abdul Kareem Khuram, Minister of Culture and Youth said: “We have no specific law governing this issue and all websites are accessible to any one.”

Sultan Ahmad Baheen, rejected the allegation made by Mr. Mir Hazar that MoFA had blocked the site, and said: “MoFA did not block any site except those believed to be immoral. The allegation of Mr. Mir Hazar is far from the truth.”

In connection with accessibility of internet sites, Aimal Marjan, head of the ITC Department at Ministry of Communications, told Media Watch: “So far, there is no specific provision concerning use of internet sites in the laws of the Ministry of Communications. Hopefully the procedures for how to use this technology will be specified in a law. However, every Ministry and State Organization imposes restrictions on nude and immoral sites.”

Media Watch discussed the matter with some experts in information technology. They said controlling and blocking pornographic sites might affect and block access to some other sites as well.

There are no distinct provisions in the Media Law concerning Internet and copyright and such a deficiency may create problems for news related sites since the State can block some sites under such a pretext.

In his recent contact with Media Watch, Kamran Mir Hazar alleged that www.kabulpress.com has once again been blocked at the MoFA. In the next MWR, we will have another look at this allegation.

Establishment of Joint Pak-Afghan Association of Journalists (PAIMA) in Kabul

On 13th, 1385 (Jan, 03, 2007), during a visit to Kabul by Mohammad Ali Durrani it was agreed to form an Association of Afghan and Pakistani Journalists.

The purpose of the association is to facilitate joint cooperation between Pak- Afghan journalists. According to Pazhwok News Agency, in a meeting at the Ministry of Culture and Youth, attended by the Pakistani Minister of Information and the Afghan Minister of Culture and Youth , Rahimullah Samander, Head of Afghanistan Free Journalist Association, and Mohammad Riaz, in charge of Peshawar Media Clubs, were appointed by other journalists to be president and deputy president of the association. Eight Afghan Journalists have been nominated as members of the association.

Rahimullah Samandar, has so far refused to take up his position as president and told Media Watch: “So far elections have not been held. We nominated eight journalists for temporary membership in the association who are: Fahim Dashti, editor-in-chief of Kabul Weekly; Najiba Ayubi, Director of Killid Radio, Mohammad Abdullah, journalist at Tolo TV; Dr. Hussain Yasa, editor-in-chief of Afghanistan Daily and Daily Outlook; Ghaus Zelmay; Nooria Ashraf, lecturer at the Faculty of Journalism in Kabul University; Mohammad Amin Mudaqueq, Head of Azadi Radio office in Kabul; and Bari Sallam, editor-in-chief of Subh Bakhair Afghanistan programs.

Samandar added, "There were previous attempts to form such an association in order to provide accurate news to people in the two neighboring countries. Nowadays, the news in Pakistan is that the fight in Afghanistan involves Afghan fighters known as the Northern Alliance whereas this alliance doesn't exist any more."

He maintained: "Some media outlets in Afghanistan also engaged in false reports against Pakistan. This association will work to eliminate such an atmosphere from the media of the two countries and to promote further cooperation and understanding between the people and governments of both countries."

However, Sediq Ahmad Zada, executive director of Tolo TV rejected the claim that Afghan media submits false reports against Pakistan and said: "The aim of Tolo TV has always been to broadcast facts and never broadcast false or un-verified programs Tolo TV will keep on following the same path."

Abdul Hafiz Mansoor, editor-in-chief of Payam-e-Mujadid Weekly, said the formation of the Joint Journalists Association of Pakistan and Afghanistan was a humiliation for the Media community, and said: "the formation of this association on the ground that Afghan media supports false reports against Pakistan, is an insult to Afghan media, because what is published by Afghan media about Pakistan is mostly true and is not baseless propaganda."

Media Watch believes that formation of PAIMA is good for unearthing facts about Afghanistan so that the people of Pakistan can be aware of the present realities in the country. However, the important issue is that the Afghan members of the association should have a wide representation from all over Afghanistan and appointed by elections at the Afghanistan National Union of Journalists. Also, the Afghan members should realize the delicate nature of their work so that Pakistan will not be able to prevent publication of facts about its actions in Afghanistan.

Pakistan is attempting to prevent Afghan media from publishing reports which reveal and unfold its intervention in Afghanistan. For example, broadcasting Tolo TV was banned not so long ago in Peshawar City. The ban was lifted after the trip of Pakistani Prime Minister, Shaukat Aziz, to Kabul. However, according to the latest report, the government of Pakistan has once again deprived Afghan refugees and people of Pakistan of watching Tolo TV. The details of this matter will be presented in the coming report.

Afghanistan Press Club to be launched by Nai Supporting Afghanistan Open Media in Kabul City

Nai is set to launch a club called The Afghanistan Press Club. The aim of the club is to provide services to all journalists and the media community.

Abdul Mujeeb Khalwatgar, executive director of Nai, told Media Watch, "We realized the need to coordinate journalists and establish a media news center. Therefore, the center will be able to provide necessary media related services to journalists and media community."

He added: "In the club, journalists will have access to news sites and will also benefit professionally from the Nai, Journalism Training Radio. Membership of the club is conditioned upon working in a

functional media outlet and residence in Kabul. Membership for journalists based in the provinces is based on their ability to meet once a month with the club in Kabul.

Mr. Khelwatgar said the main condition for membership in the club was impartiality and requested media authorities to cooperate with Nai in this context.

The view of Media Watch is that this club, which will be formed in a month, will be able to assist journalists to receive news and obtain access to news sources.

Abdul Hameed Mubarez, senior advisor to Afghanistan National Union of Journalists, told Media Watch, "Formation of journalists clubs is necessary, not only in Kabul, but also throughout Afghanistan. He added, "Such clubs can play an efficient role by providing ways of broadening journalists knowledge through facilitating the exchange of ideas. As a journalist for a long period, I will become a member of the club upon studying its Articles of Formation because I am keen to share my experience in the press of Afghanistan with young journalists, and to hear and benefit from their views concerning the media in Afghanistan."

It is notable that members of the club will be able to discuss daily reports and live news and draw on the work of each other for the purpose of their professional development.

It is worth mentioning that the first club of journalists (The Kabul Press Club) was formed in Kabul in 2001 with the support of Reporters without Borders [Reporters Sans Frontieres] in Ayena press center. One year ago, the club shifted from Ayena Center to the Center for International Journalism in Shashdarak of Kabul.

Khost province State-run TV re-launched

On 8th, Dalwa, 1385 (Jan, 28, 2007), the State run TV of the Southern province of Khost, restarted broadcasting.

Construction of the TV station building cost 200 000 USD and was funded by US PRT (Provincial Reconstruction Team). The equipment and supplies were provided by Suhail Haroon Company with the assistance of the International Community.

The director of the newly inaugurated TV station, Sakhi Sarwar Miakhel, said: "After two months of test transmissions, television broadcasting has been officially launched in Khost province. The station will relay 5 hours of programming every 24 hours which will include religious, political, and cultural programs. There are twenty staff members in the station, all of whom are male. The broadcast area of the TV station is 60 Km around Khost city."

The state run TV station of Khost stopped working after the fall of Dr. Najibullah, the ex-president of Afghanistan. Now, it has been rehabilitated and its transmission relaunched.

According to another report, *Paiwastoon* magazine is being printed in Khost city. The freelance publication has 16 pages and its editor-in-chief is Mohammad Rasool Adel.

Mr. Adel commented that he privately funded the publication to reflect the problems faced by people in Khost and the actions taken in the province to promote freedom of speech.

First issue of “The Journalist” published by Afghanistan National Union of Journalists

Khabarnegar (the “Journalist”) was printed on 16th, Dalwa 1385 (Feb, 05, 2007), which contains various news, analysis and briefings for journalists. Khabarnegar consists of 16 pages, and contains articles in three languages (Dari, Pashto and English) with the following headlines: Cases of threatening and pressure on media and journalists in Afghanistan during the last year; Special Media Watch Report from Nai; Formation of Afghanistan National Union of Journalists; purpose of media outlets; explanation of the factors behind tensions between media outlets and the State; understanding work in media; and other issues in relation to journalists.

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To obtain a soft copy of the report, please visit the following link: www.nai.org.af

Note: To maintain confidentiality and to protect sources it was not possible for Nai to corroborate the incidents by carrying out additional investigations.

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Media Watch Report Afghanistan Journalism Freedom Report # 21

Sediqullah Tawhidi
Media analyst

Despite the existence of Media Law in Afghanistan, killing and torture of journalists is becoming a common thing.

In Report # 21 of Media watch, unfortunately, most of the topics are investigating the lack of government attention to such killings and incidents.

Murder of an innocent human being is considered a crime in the current law of the country, and the judiciary authorities are responsible to sue and punish the criminals.

Besides, torturing people, even by police, is strictly prohibited and is a crime according to the law even if the person is a suspect or criminal, no one has the right to torture anybody.

It's not worth ratifying a law if it's not enforced afterwards. An appropriate law needs to be enforced and to benefit the people of a country.

Afghan leaders are unaware that a law which is not enforced is not only harmful to the people, but also to them. And also it seriously harm the government..

This issue will investigate the following:

- Rahman Qul, a reporter, killed by unknown gunmen in Faryab province
- Ahmad Fawad Ahmadi, reporter, and Eshaq Quraishi, cameraman of Ariana Television and Atta Mohammad Sahel, Logar's Esteqlal Radio RJ were beaten in Herat province
- Resignation of Fahim Kohdamani, the spokesman for Kabul Police Department
- Reporters gunned in Laghman province
- Situation of free media in Takhar province
- Some media agencies were banned in Pakistan.
- Journalists protest the government officials' act on blocking their access to information
- Release of Ahmad Bukhari, Aljazeera reporter from Taliban captivity

Rahman Qul, a reporter, killed by unknown gunmen in Faryab province

Mr. Rahman Qul was working for Andkhoy's governmental publication and also he was hired by a German NGO. On February 20, he was shot by two bikers in front of his house.

Regarding the murder of Rahman Qul, Mohammad Sadeq, the security chief of Faryab province, said: "In the past Mr. Rahman Qul was a school teacher. But after the fall of Doctor Najeeb's regime, he began to work with an Armani lady, a German citizen, who was helping schools at the

Farah province. In addition, recently he was working as a reporter for Andkhoy's governmental publication. No one has been arrested for his murder yet, but the police is trying to capture the murderers."

Andkhoy's district governor, Khairullah Anosh, speaking to Media Watch, said, "Lately Rahman Qul was one the key persons in the education and culture field in Andkhoy district and he did a lot of work for the education sector of Faryab province."

Mr. Anosh asserted that the reason behind his assassination is not clear and the police is yet to capture anyone in relation to the case.

"Murder of Rahman Qul was truly a big loss and we are sorry about this incident," said Abdul Latif Ibrahim, the governor of Faryab province. "As far as the motive behind the murder is concerned, you can point out to two things – first, it could have been Taliban and secondly he could have been a victim of local rivalries for his profession. We are waiting for the results of the investigations."

The head of Culture and Youth Department of Faryab province, Shah Reza Munshizada, also, stated that the motive behind the murder of Mr. Qul is not clear.

Media Watch expresses its concern over the incident and writes that if the attack is carried out by Taliban or local gunmen, it could have been an anticipated move. But it's the government obligation to identify and capture the criminals.

Assassination of Mr. Qul, once again, proves that the government is unable to ensure the safety of its citizens. The murderers remain unidentified and government officials are showing few efforts to resolve the case.

Ahmad Fawad Ahmadi, reporter, and Eshaq Quraishi, cameraman of Ariana Television and Atta Mohammad Sahel, Logar's Esteqlal Radio RJ were beaten in Herat province

During the demonstrations by auto-rickshaw driver protesting against the imposed government law on auto-rickshaws in Herat province on February 22, 2006, Ahmad Fawad Ahmadi and Eshaq Quraishi, while covering the protest, were beaten up by police and their camera was confiscated by the security officials.

Speaking to Media watch, Mr. Ahmadi said, "Auto-rickshaw owners were demanding the government to retract the restrictions that have been imposed on their work. They had gathered in front of the Herat's governor office. Later the police started to drive them away from the area but the protesters begun to react against the police. The police started firing to disperse them and I wanted to shoot their firing. Then I saw that one of the protesters fell on the ground and started bleed. I went to film the wounded person but the police rushed at us and started beating us. They also grabbed the camera from Mr. Quraishi's hands, which was lost. I tried to explain that we are Ariana Television reporters but they didn't listen to us and they kept beating up Mr. Quraishi. His condition is serious now."

But Ahmad Shafiq Fazli, Herat's Security Chief, rejects the allegations by Mr. Ahmadi and says, "Mr. Ahmadi and Quraishi were not beaten up by the police and I, personally, respect the freedom of speech and journalists. The police only told them not to go among the protesters, which they didn't accept. And their camera was stolen by the protesters. I asked Mr. Ahmadi to identify the

policemen who beat them up or took away their camera, but he failed to do so. I again emphasize that they were not beaten up.

Media Watch tried to find out about the reaction of the Ariana TV officials about the issue, but Ehsanullah Aryanzai, the head of the channel, refused to talk.

It is worth-mentioning that prior to this incident, Mr. Fawad Ahmadi was also threatened by Herat's former mayor, Mohammad Rafiq Mujadadi, after reporting the embezzlement case of Mr. Mujaddadi.

According to another report, Atahullah Sahel, Esteqlal Radio's presenter, a Logar local radio station supported by Internews, was beaten up by security officials.

On February 16, 2007, Atahullah Sahel was beaten up inside the radio station by two security men of the area wearing civilian clothes.

Regarding the incident, Mr. Sahel recalled: "Two men from the National Security Department of Logar province entered our office. They beat me up and then took me to their office. Then they told me that people are complaining about the disturbance caused by Esteqlal Radio's frequency to the TV channels, which, I told them, was not my fault and was a technical problem. And then they released me."

But Abdul Karim Hashemi, Logar's governor, rejects the allegations by Mr. Sahel and says, "During the investigation I carried out on National Security Department of Logar officials, they told me that no physical attack happened to Mr. Sahel."

Some minutes after the conversation with the governor, Media Watch received a call from someone, who claimed to be the Head of the National Security Department of Logar Province, saying that they didn't physically assault Mr. Sahel but a group of 200 to 300 people filed complaints against the radio station. They were complaining that the station is causing disturbance to TV frequencies in the province, he added.

The Chief Editor of Esteqlal Radio, Lahl Mohammad Turabi, confirmed the physical assault on Mr. Sahel, but said that he wasn't present during the incident. But he added that they referred the issue to the National Security Department of the province.

Internews Afghanistan established the Radio Station in the Baraki Barak district of Logar province in 2004. The station was programming 10 hours daily. But after the station was sat fire on June last year, it was moved to Pul-e-Alam, center of Logar province.

In its reports, Media Watch has repeatedly urged the security officials and police to prevent any kind of physical assaults on people, as this is against the law, and required more effort to arrest criminals. But unfortunately none of these people have been arrested or brought to justice.

The Ministries of Culture and Youth, Interior Affairs, and Defense as well as the National Security Department should inform their own offices to take preventive measures against such incidents otherwise government will be proved weak when enforcing the law.

Fahim Kohdamani, the spokesman for Kabul's Security Department, resigned

Fahim Kohdamani claimed that the reason behind his resignation is the censorship on news by the newly appointed chief of police.

“Mr. Esmatullah Dawlatzai, the new chief of police, did not approve my work. He was reading and editing the news himself. That’s why I quit,” Kohdamani told Media Watch.

But Esmatullah Dawlatzai claimed that Mr. Kohdamani was currently not an official employee of the Kabul Police Department and there was no specific requirement for his resignation.

Speaking to Media Watch, Kohdamani said, “I was appointed by the former police chief of Kabul, Mr. Amanullah Guzar, and by approval of the Interior Ministry. My documents currently exist in the Ministry.”

General Mohammad Usman, the head of recruitment department of the interior ministry, told Media Watch “as we considered the employment record of Fahim Kohdamani which is available in this department, he was working for a non military position in a government ministry.” He added: according the interior ministry institutional structure, the spokes person have to be a military official within the interior ministry, therefore Mr. Kohdamani was not spokesperson for Kabul Police Head Quarter, but he was appointed as a temporary employee for the Kabul Police Head Quarter..

Media Watch tried to talk to the Interior Ministry spokesman, Zemaray Bashiry but he neither answered our calls nor was found in his office.

Media Watch believes that censorship still exists in some of the governmental departments and that officials are trying to avoid spreading some news items, which is against the constitution and Media Law and also deprive the citizens from having access to information. Recently Tolo TV, for instance, was boycott by the Interior Ministry, but the boycott was taken back later.

Senior officials must know that by imposing censorship they can not prevent incidents and disasters. Therefore, people have the right to know what’s happening in their country.

They should prevent the occurrence of such incidents, rather than censor the news about the incidents. Besides, one can suppose that governmental authority have enough of their own tasks not to loose time on censorship.

Security officials opened fire on reporters of Ariana Television, Pajhwok News Agency and Associated Press in Laghman province

On January 13, 2007, Reporters of Ariana TV, Pajhwok News Agency and Associated Press had gone to Alingar district of Laghman province to make reports. On their way back their car came under fire of National Security Department employees.

Mahid Hashemi, a Pajhwok’s news reporter, who was traveling with the two other journalists, said, “When our car was going down the hill, we were shot by the area’s security men. We stopped the car and asked them why they opened fired on us, they told us that they have mistaken our car with a smuggler’s car.”

Ariana TV reporter, Khan Wali Kamran, said, “It wasn’t a mistaken shoot out, because when we passed by, they didn’t stop us but they fired at the back of the car.”

Laghman governor, Gulab Mangal, in a phone conversation to Media Watch, said, “We have detained the people who fired at them. But we released them when the reporters suggested their release. The men claimed that they waived at the reporter’s car to tell them to stop, but they didn’t. That’s why they opened fire on them.”

Media Watch states that if the reporters refused to stop, when they were asked to, they were in an illegal position. But if the security men fired at the car without stopping them at the first place, it was a mistake that could cost lives of three reporters.

Journalists and security officials should be careful when doing their jobs to prevent such unpleasant incidents, because life is a worth God-given gift and we shouldn’t play with it.

Some of the Free Media Outlets are facing downturn in Takhar province

Nearly 12 publications of Takhar province have failed to run due to financial problems.

Speaking to Media Watch, Abdul Matin Sarfraz, a Pajhwok reporter, said that the situation of media outlets is worrying in Takhar province: “I remember that Andisha and Agahi publications were closed down due to financial problems. I have figures showing that nearly 12 publications were closed due to financial problems.”

He claimed that, besides financial problems, the media community is facing threats from local government officials. “Once, in the 2nd issue of Sarw Monthly, an article about women was published. Part of this article said that woman is a blessed creature of God and paradise is under her feet. The article raised anger among some Mullahs, which resulted in protest against the publication. They were claiming that publishing such articles will create women-domination.”

Mawlawi Mustafa Kakar, a Supreme Court official, said, “Prophet Mohammad (PBUH) had twice emphasized in his last speech that women are God’s gifts and you should careful about them. In some parts of Islam the position of women has been emphasized because women are mothers and mothers have much higher place then men.”

Mr. Sarfraz criticized the imposed pressure on media in the province and said” “The local officials are not directly pressuring the media, but when news related with them are published, they stop cooperating with the media outlet.

“Currently, we can’t go to some remote district of Takhar province and the government officials are refusing to cooperate due their personal reasons.”

But the governor of Takhar, Khwaja Ghulam Ghaws Abobakr, rejected the allegations and said: “There are no imposed limits on media and journalists in Takhar. In fact, I personally have, many times, arranged car for the reporters and taken them to remote areas. No one has any problem with journalists; they can go anywhere they want. Also, no government official ever tried to publish personal related news in the media outlets’ programs.”

Closing down of print media outlets is not only widespread in Takhar, but in most of the provinces of the country – especially in Kabul. The new wave of media in the country have paved the ground for the media outlets to operate in a free environment, but lack of support from some international organizations, lack of newspaper-reading culture and poverty are the reasons that cause the close down of the papers one after another.

More than 300 publications were operating in Kabul, among which only few of them currently have managed to survive. Financial problems, lack of advertisements and government lack of attention are considered the main reasons behind the collapse of some good publications like Kabul Weekly, a very popular newspaper.

According to the media law, the Afghan government has to support free and open media outlets. This support could include financial aid as well. The government can cooperate with the publications in their printing issues, as it has a huge access to printing facilities.

Tolo and Lemar Televisions banned for the 3rd time by Pakistani government

Afghan refugees in Islamabad and Pakistan complained that a ban was imposed for the 3rd time on Lemar and Tolo TVs.

“Anyone who watches Tolo or Lemar TV would be fined by the government,” Gul Ahmad, an Afghan refugee, told Media Watch.

Another refugee, Nadera Ahmadi, also said, “If someone watches Tolo TV by satellite, Pakistan government will fine them. The government claims that it spreads anti-Pakistan propaganda.”

The CEO of Tolo TV, Sediq Ahmadzada, also, acknowledged the ban and said, “After the visit of Mr. Shawkat Aziz, the Prime Minister and Ali Durani, the Culture Minister of Pakistan to Kabul the ban was removed on Lemar and Tolo TV channels, but recently it has been imposed once again. And cable networks are prohibited to air the channels. We have referred the issue to the President, and Ministries of Foreign Affairs and Culture and Youth to negotiate with the Pakistani government the lift of the ban.”

According to some recent reports, all Afghan TV channels, aired in Pakistan, are banned by Pakistani government; details will be given in report #22 of Media Watch.

Media Watch believes that there is law, approved by the Pakistani government, allowing to ban Afghan TV channels in its territory. On the other hand, nearly 2 million Afghan refugees live in Pakistan and they have the right to watch the TV channels of their own country.

The Afghan Foreign Ministry should seriously follow this issue and urge the Pakistani side to remove the ban. Otherwise, it will lead to a similar reaction to Pakistani media in Afghanistan

Journalists accuse the government officials of mistreatment and not providing them with the information they need

In the Media Law it's clearly enshrined that access to information is the right of every Afghan citizen and government officials should provide people with the information people need, unless the information acquired reveals secrets which are against the national interests of the country.

Speaking to Media Watch, Farida Nekzad, the deputy chairman of Pajhwok News Agency, said, “Recently, the National Security Department gave a drafted code of conduct containing 24 articles for media, but asked them not to publish the bill, because it was imposing restrictions on media. But

the media outlets published and released the drafted code of conduct, which evoked National Security Department Officials' anger.”

Abdul Ghafor Popal, a Shamshad TV reporter in Kabul, claimed that National Security Department officials have changed their behavior after the capture of the Taliban spokesman, Doctor Anif. He said, “The reason behind this problem is the existence of non-professional people in some key positions. They don't understand the meaning of democracy. Of course, the President is an exceptional case”.

National Security Department officials have been mistreating the journalists since the capture of Doctor Anif. They want the media to become governmental recently, the Indian FM visited Kabul and, during the visit, the National Security officials misbehaved and humiliated the journalists. I reported the issue to UNAMA and some media outlets.”

Pajhwok News Agency reporter, Habibullah Ibrahimi, also, complains about the misbehavior of National Security Department and Supreme Court Officials: “I remember that four years back from now, I referred 11 times to the Interior Ministry but the officials whom I wanted to interview, refused to talk. And almost two months ago when I went to the National and International Criminal Court to investigate the capture of some suspects in relation to the suicide bombings, they told me that I should get the permission from the Supreme Court. Thus I referred to the Supreme Court to talk to the Head of the Press Department and I was asked by the security guards to show my ID badge, which I did. As my ID card was in English, one of them told me that I didn't ask for this “American-spy” ID card. Subsequently, they didn't allow me to meet him. When I phoned the Supreme Court's Press Department Chairman, he said that what his security guards told, me was true. As I was talking to him through the phone, one of the guards grabbed the phone out of my hand and asked him if he wants to see me, which the answer was ‘No” from his side.”

But Abdul Wakil Omari, the Press head of Supreme Court, rejected Ibrahimi's allegations and said, “So far , we never refused to talk to a journalist. Only in case the reporter wants to talk to the Chairman of the Supreme Court, he would have to wait for one day.”

Mr. Ibrahimi has always been cooperated. But he did not treat well the officials and refused to show his ID card. When he contacted me I told him that he couldn't get the interview on that day.”

On the other hand, recently Salam Watandar National Program was boycotted by the Ministry of Women Affairs. According to Fahim Sediqi, a reporter for the radio station, the boycott took place after airing the interview of Mrs. Mazari Safa, the deputy minister of women affairs, regarding a letter which was sent to Taliban asking to reduce violation against women.”

After the interview was aired, the Ministry of Women Affairs denied giving any kind of information to Salam Watandar Radio.

Speaking to Media Watch, Mrs. Safa, rejected the addressed allegations by Salam Watandar, “One day Mr. Sediqi, a reporter for Salam Watandar National program, made an interview with me about the violation against women in the country. Aside from other factors, I pointed out that terrorists are also violators of women's right,and, through terror activities, they are killing mothers. The reporter asked me that what I had to say to the enemies of the country. I replied that my message, as a mother, is that they should stop violation against women. But the radio has only aired my message to Taliban out of the whole interview. That I was asked by the Women Affairs Minister as if I had sent any message to Taliban, which I responded, no. She told me about the interview with Salam

Watandar Radio. I urged Mr. Sediqi to go to the ministry and objected the false airing of my interview and told him that that I was not going to talk to the radio for a while, but you can talk to other officials within the ministry or air the news about the ministry. There hasn't been any boycott on them."

Concerning the issue, Sanjar Qyam, the chairman of Salam Watandar Radio, said, "Government officials behave arbitrary and selfishly with the journalists."

Meanwhile, Mubarez Rashidi, the Deputy Minister of Youth and Culture, in an exclusive interview with Media Watch, said, "All government departments are obliged to provide the journalists with the information they need It's only forbidden to tell secrets that would jeopardize the security of the country.

"It's enshrined in the constitution that journalists have the right to access information. But unfortunately some officials refuse to talk to media. I urge all the government officials to act constitutionally. If an official refuses to talk because he doesn't want an article to be published, it's against the law. But if there is a technical problem, then the interviewee should be excused. If a ministry requires an official letter from a reporter, it's only a waste of time for the reporter and nothing else.

Speaking in a press conference on February 20, Tom Koings, Special Representative of UN in Afghanistan, also expressed concerns over the imposed limits on media by the parliament.

But Mohammad Arif Noorzai, the first deputy of lower house, in a phone conversation with Media Watch, said: "No restriction has been imposed on media by the parliament."

Media Watch believes that imposing restrictions on media is against the law, but the journalists should also understand that editing the articles unprofessionally can harm the main message of the report, which is something against ethics of journalism and damages the honesty of the report. The chief editors should pay more attention while editing the articles and reports to prevent any kind of misrepresentation of the speaker.

But government officials should also understand that blocking journalists' access to information means violating people's right in accessing information because it's the media that spreads the information to people.

Making excuses to prevent talking to media is against the law and asking journalists for officials letters from their agencies is nothing but waste of time. It's because there is a limited time to publish and release news or articles, and if the required information is not accessible on time, the news or the article becomes outdated.

Ahmad Bukhari, Aljazeera TV reporter, released after two days captivity

Ahmad Bukhari, who went to the volatile Helmand province with a group of national and foreign journalists, was captured by Taliban. After his release, Mr. Bukhari told the media that reporting from the south of the country is a dangerous job. Before entering the province, he talked to some Taliban leaders and got the permission to report, but later he was captured by another group of Taliban and was taken to a remote area, he explained.

He also added that even though he had the permission he was kept on detention for two days until his permission was confirmed by the Taliban spokesperson.

“During my two days in captivity, I was moved to many places but I was assured that I will be protected in case of attack by NATO forces. It seems that Taliban have many places to shelter in Helmand province, but the region is very dangerous to journalists.
The full report on Ahmad Bukhari will be available in the Media Watch Report # 22.

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To obtain a soft copy of the report, please visit the following link: www.nai.org.af

Note: To maintain confidentiality and to protect sources it was not possible for Nai to corroborate the incidents by carrying out additional investigations.

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