



نی حمایت کننده رسانه‌های آزاد افغانستان
Nai supporting open Media in Afghanistan

Nai Research:

Breach of media employees laws in the media

- Regulation for non-compliance
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Media

Before Reading:

There has always been talk of violence by reporters involved in the situation in Afghanistan, but is the situation of affairs of media owner's contentment with journalists inside the media? The report provides a special report on complaints, protests, review of past reports of Nai and conducting of research to have the views of journalists, media staff and media directors.

A few months research of the Nai office, which covered the incidents of journalists' inside the organizations violence from the new wave of freedom of expression in Afghanistan in the month of August 2017, shows that employers and private media managers in Afghanistan violate the legal rights of their employees and violate the administrative, Work and regulation do not comply with the establishment and activities of private media outlets.

Do not make contract with journalists, refuse to pay compensation, prepare and conclude unlawful and unpaid labor contracts, illegal termination and lack of providing a safe environment for employees, a set of employer behaviors and media directors with their employees and journalists.

Don't grant retirement rights, acrimony, incentive privileges, and reporting points for covering terrorist incidents, are other regulations governing the establishment and functioning of private media organizations that none of the private media has observed it. The regulation was issued on 7th of November 2015, and was officially published in the 2015, but the findings indicate that there has not yet been any work to address its important issues.

1- Outcome of the survey: Regulation for non-compliance

In a survey that Nai office had with 40 journalists from 40 major local private media , it has become clear that most media do not have the same rights as labor laws and regulate the way media are set up. The poll shows that 87.5 percent of the journalists did not receive their contract copy or not contracted. The results of the survey, in line with the Nai office investigations, show that 100% of journalists do not fully meet their rights in accordance with the regulations governing the establishment of private media.

According to the survey, 45% of journalists are not given legal leave, and only 55% of journalists are using legal holidays. All reporters who have participated in the poll said they did not receive retirement benefits. 92.5% of respondents said that their salary was not paid at a specified time, and only 7.5% enjoyed the benefit of receiving a payday at a specified time.

70% of the respondents who responded to the survey also said that they were not in a position to develop and get promotion and that legal way is only available for 30% of journalists.

82.5% of the reporters said the behavior of media officials was normal to them, but 7.5% said that the behavior of media managers is bad for them.

2- Work without any contract:

Not having a contract is a huge part of the difficulty of the working conditions of the media. Some media, in their favor, do not have written contracts with their employees, and they treat them as they wish. In these media, the determination of salary and promises, one way and "whatever it is they want", and at any time, media owners or even managers did not want to act on their oral promises, they simply disapprove.

Zabiullah Mohammadi has been director manager of Radio Naw Bahar for three years. He is an example of the unstable media staff. Mr. Mohammadi was in charge of the media from 1389 to 1392 solar year, but in the end of his work was, without any notice, until the arrival of the new CEO. He was paid every six months and every time the media privilege was earned, but when he was ousted, he wandered for months to gain "little salary, unlike his boss's promise".

"I did not have a deal, they paid me salaries every six months and every time they were told me twenty months ago that they raised salaries from 13200 to 15000, but for months, I passed and was dismissed," said Mr. Mohammadi, making a petition to Rey. I've been behind Mousavi for months, so I got the same money and lost 36,000 Afghans. "

However, Clause 1 of Article 15 of the Regulation on the Establishment of Private Media states: "The media or institution is obliged to employ the relevant personnel in compliance with the provisions of the labor law, this regulation and other relevant regulatory documents, and supplementary documents (office of accidents and The work permit) to keep them in the relevant department and send a copy to the Ministry of Information and Culture. "But so far, the media have not done so.

Article 16 of the sixteenth article of the regulation on the establishment of private media on the rights of private media employees' states: "Media and institution employees are entitled to appropriate wages in accordance with the provisions of the labor law, which are determined by the parties during the contract and paid by the media department or institution.

3- Abuse and doesn't tying contract

The abuse of employees by the media has been another example of troublesome behaviors with media workers. This abuse, in addition to additional work, sometimes causes personal expenses to be spent by the employees, and then the costs are not given to the employee.

Mohammad Hussain, director of Audience program of One TV, concluded his contract with the media at the end of 1395, but when he asked for a new contract, media directors told him that since the new year and programs are more, the contract after the year New sign with him and he will continue to work. Along with continuing work, Mohammad Hussain has been spending money for audience for the program of "escape from the cage," but by ordering media directors, he has been transferring people at his own expense, but now it's not paid for him.

Mr. Mohammad Hussein said in his complaint to the office: "We had to pay and pay a per person for each program in the amount of 250 Afghani, leaving 30 passengers and renting a Casser car, a second program for 23 passengers and one The car was a caster and it was supposed to be given to me every day, but because of problems before the New Year, money was not given to me, after the New Year, the gate of the network is closed to me, and my parties Do not answer me. "

This is not the only deal with the media. A large section of the staff of a large number of media outlets has no work contract, and so, media directors use them to the extent that they want, and they themselves do not feel any responsibility for employees.

However, in the labor law and regulations governing the establishment of media outlets, having a work contract and depositing a copy to an employee is a prerequisite for the recruitment of employees.

Moreover, in Article 14 of the Labor Code, the contract is considered to be a factor which triggers the commencement of work in accordance with the bill of obligations against the receipt of wages and other salary and privileges of the period of service for a specified or unconditional term.

The labor law contains the contract of employment "1-legitimacy of the contract, 2-determination of the subject of the contract, 3-absence of legal barriers to the performance of the work, 4-type of work or profession in which the employees are employed, 5-wages, salary and privileges Workers, 6 times and working hours in accordance with the provisions of this law, 7-vacations in accordance with the provisions of this law, 8-place or unit in which the employee involves work, 9-date of the contract, 10-term of the contract validity. "

Also, most reporters who came to their office in their protests to lose their rights from their employers, said they had contracted, but they did not have a copy of the contract. In other words, they have signed a contract with no copies or transcripts. While Clause 1 of Article 16 of the Labor Code states: "The contract of employment and apprenticeship is arranged in three quarters, after the agreement and signing of the parties by a quoted worker, the latter to the Ministry of Labor and Social Affairs, and the third one, in the Ministry of Employment turns out.

4 – Breach of work contract:

One of the issues that have been repeatedly reported by journalists in recent years by media has been the violation of contract terms. The principal directors and media owners, according to their will, have violated the various types of contract materials between the media and the reporter in favor of their organization, and to the detriment of journalists and media staffs.

Mir Abdullah Miri was the employee of 3 TV. He resigned on July 28, 2012, on July 28, 2012 due to non-compliance with his contracts with the 3 TV network. He says: "After resigning, I should not appear in another medium for a month and work for them, I spent that amount of time and did not appear on any media, but when the time passed, I asked for one

month's salary and then I was banned from the media, and no longer I could get the right that I had contracted.

He says the authorities of the 3 TV network, also apparently ineligible to accept his resignation, repeatedly requested him to work again, but when he refused to work again, and they didn't give his one month salary and his responsibility letter.

5- The job of without pay

A. Failure to pay the original wage

One of the most difficult media problems for journalists and their media employees is not paying their salaries in due time. Most of the time, media staff wait months for their salaries, but in a few cases, even those who resign will not be paid.

Abdul Rahouf Ajmal, a former employee of Ariana TV on 10 May 2013, wrote in a letter to Nai office: "For some reason, I resigned from my job, but did not pay \$ 700 for my salary after resignation; they said that they will pay, but four months passed and this money was not given to me."

He was looking for months to receive this amount of money and the Nai office also sent his case to the rights commission.

Also, Zaki Qais, a former Ariana TV employee, has been dismissed for nearly a decade due to a vague mistake in the group's publication of a program after nearly ten years, was fired and didn't give his one month salary. He said "With the permission of others, the program that was made was not broadcasted, but at an absentee session, they knew me and they gave me a sheet to sign that I used the TV equipment for personal use, they forced me to sign the paper but I didn't signed it.

Mr. Qais has asked Nai office: "I want the support of Nai media watch office to help me in obtaining my rights, privileges and allowances."

In response Nai requested the Ariana television for solving Mr. Zaki's problem, a letter signed by Azizullah Aral, former director of the Ariana global radio and television network has told the agency. In this letter, Ariana TV has claimed that Mr. Zaki has not referred to the department for signing the news. Meanwhile, Mr. Qais says the television department had given him a confession letter to sign.

Mehrajuddin Saba TV employee, has another problem. A camera of Saba TV was broken during the program recording, but Saba has not paid his salary. Mehrajuddin told to Nai office that he has been working on this television for about three years, but his wages are wiped out when the camera was broken during the recording of the program due to the lack Hall decor strength. He said: "Due to the lack of firmness, décor of the hall, the camera landed during the program an at all I wasn't my fault, but Saba TV blamed me and refuses to give my salary." He asked Nai to address his problem and his salary.

Similarly, Mohammad Hamid Mangal, a technical officer at Watan TV, who has been expelled due to lack of facilities from the media, it has been three years that he hasn't been paid for his three months salary. Mr. Mangal said in his letter to Nai office: "The monthly salary is \$ 700 per month, which the total is \$ 2,100. The head of the Watan Television, although he promised me several times to pay my salary, I did not paid, then on 2014 I complained on him in the Kabul police command but he didn't came in there.

Also on 08 January 2015, eight young employees were fired, and some resigned. Muhammad, Rohullah Ayin, Nawroz Ali Rajabi, Mir Ahmad Boroumand, Ali Behzad, Jawad Hussaini, Hafizullah Afzali, and Fahim Wardak, youth workers who were employees of Jawan TV, told Nai office: "Six months of salary of each is from 30 to 90 thousand Afghanis, when we wanted to visit the head of the network, they did not let us go inside the network office and they said: "Get your hands off, whatever you want to do, you are free."

Other issues that the staffs of this network complained about are the using of bad words, the ugly handling and abusive behaviors by the chairman and the officials of this network.

In another case, the Aria television network expelled five employees on 23 October 2015, and then received a "rejection" when they asked for their paid earnings.

They said during the letter to Nai office, "Naseer Ahmad Melikzada, language overdub section employee, Nader Shah, overdub employee, Noor Agha Noori, employee of editing section and Sabawon editing section employee, salary of 2 months from 1 September 2013 to 1, 1394 and Hafizullah Azizi, translator of this network from 01 Sept 2015 to 01 October 2015 has not been paid. The network has directly answered negative to us on [12 November 2015]. "

Director of the Financial and Administrative Affairs of Aria TV But in response to efforts to pay the salaries of these employees by the TV in a letter on 17 November 2015 said: "they will pay the money soon and will comply with the administrative law."

As stated, most media outlets do not pay their employees on a monthly basis for a variety of reasons. Nevertheless, the poll also suggests that no medium-wage delay has been agreed upon with all employees, mostly written or verbally, which pays their salary on a monthly basis at the end of the month. . But the labor law, in the second paragraph of article seventy-third, says: "Wages are paid during the month. The payment can not be delayed without the employee's consent. "

It has happened many times that media staffs have been referred to the Nai office because they have not received their full payment and have complained that their salaries have not been paid in due time. Other cases of non-payment of salaries include lack of incentive privilege, lack of privilege to cover terrorist events, and promotion of media outlets, as outlined below.

B: Don't have encouraging privileges

In conversations with a large number of domestic media reporters, none have confirmed that they receive incentive privileges. Meanwhile, in the Labor Law, which the media also regulate as a way to establish private media outlets, are obliged to give incentives to reporters who are doing the right thing.

Similarly, in Section 6 of the sixteenth article of the regulation on the establishment of private media, media and institutional staff, such as government employees, are entitled to additional wages, incentives, as well as wage and livelihood status, and the stop of work and education time, as well as women employees of the media, such as female employees In the state, they are entitled to maternity wages, but in their studies they have not encountered any cases of legal entitlement to worker, overtime wage and other privileges.

Q: Don't have privileges for coverage of terrorist events

The regulation of the establishment and activities of private media outlets requires the media to pay twice as much for journalists who report from terrorist incidents. Article 18 of the eighteenth article on the regulation of the establishment of private media states: "Reporters and their colleagues who are required to cover war zones are entitled to two days of daily salary per day." The third paragraph of this article states that "the reporting of any terrorist event is calculated equal to one day." But a poll from journalists shows that no media has followed this rule of law, and many of them do not know it.

A: Carelessness about journalists' promotion

While the second part of the regulation on the establishment and functioning of private mass media states that "the media department or institution is obliged to increase according to their professional experience and professional skills of their employees after an annual evaluation of their salaries, should add to her salaries" but none of the reporters endorse the annual evaluation and increase of wages in the polls conducted by the Nai, saying that there is nothing at all in media management system.

6. Forced work:

One of the other things is the break down the work contract of journalists and media workers and mentioned doing too much work in the law. A number of journalists and media activists say that their specific time of work is certain, although in the law and the contract, but practically does not take place in the work process and can be even twice as often employed.

In addition to these, there were even cases in which tired employees were overworked and therefore resigned. But not only their resignation has not been accepted, they have also been subjected to beating.

Ali Ahmad, a director of the IT department of the Jawan Television and Radio Tapish, has signed a work contract from February 8, 2013 to May 20, 2013, which has been scheduled from 8am to 4pm, but the media directors are some of them Worked until 11-12 evenings. After completing additional work, Ali Ahmad Hamdam, had to react and say that he does not do any extra work, but he has been subjected to verbal violence, and then to the

physical directors of the media. To the point where he had to resign. But has his resignation been accepted? "Before resigning, I had to face physical violence twice, one of which occurred on May 20, 2013, my nose and eyes were damaged, and my nose was bleeding, then later the armed guards by forcing took my confessed that I could work at night too, knocking on my body with the body of rifle and beaten me, when I submitted my resignation then they tear up my letter of resignation.

This is not just Mr. Hamdam who is under the pressure of overwork and less wages, a poll from reporters and officials from the top 40 domestic media shows that in most of these media, forced work is in different ways. Excessive work is one of the most important cases of forced labor on media activists because of the lack of jobs and forced labor for obtaining the remaining privileges.

Compulsory work is imposed on journalists by media directors as stated in the first paragraph of Article 4 of the Labor Code: "Compulsory labor is prohibited; work is compulsory when a worker is threatened or otherwise in contravention of his will to execute It will be obligated. "

In the first paragraph of Article thirty-eight of the labor law, it is stated that "the work of an out of the official time, worker in accordance with the necessity and prescription of the administration is deemed to be over-work" and is permitted in certain cases agreed upon by the staff member and the administration.

But according to the Nai office survey, while most journalists do not receive additional pays, after doing over work.

7 - Unilateral and brittle of law:

Another difficulty for media staff has been unilateral authority in contracts. The issues that come to the fore show that the contract with media staff is made entirely to the benefit of the media, and the media are often looking for an opportunity to arrange and sign contracts for the benefit of themselves and at the expense of their employees.

In a letter sent to the Nai Office on April 10, 2011, a statement was signed by eight employees of the Afghan TV: "We are a number of Afghan News TV staff in protest of illegal encounters and a new contract for the TV presidency, the majority of which are against the law of media and labor law of the country, have made a strike over several days and have refused to go to Afghan News TV, but the owner and head of the television department, contrary to all applicable laws, refused to pay our salaries for one and half months, and also waned us as well.

These Afghan TV journalists were asking Nai office: "As a defender of journalists and media, we want to resolve this problem."

Habib Amarkhail, Pashto News Editor, Bahram Azari, Persian Editor, Mohsen Jamal, English Speaker and Editor, Razmil Zamna, Speaker, and Provincial News Officer, Ehsanallah Sahak, Saifullah Sahil Reporter and Speaker, Babrak Yousafzai correspondent, and Malouf Ashrafi The correspondent of this network had signed in the objection letter.

In the text of the new Afghan TV contract that caused projection of its employees, the right to resign and demand and the appointment of a staff member, and the television can at any time bring employees to work, the staff members have the right to resign and leave their jobs and ask for an increase in salary and change the position in not in their freedom. Still, in the contract, which was not copied, the replacement of cash fines and livestock deductions instead of alerts is a violation of other labor laws.

Meanwhile, in the month of December 2011, seven journalists from Ariana television in Kabul resigned collectively. These journalists stepped forward in protest over what they called "outrageous contracts and the lack of respect for freedom of expression in the media."

Amin Babak, Ahmad Seyar Bayat, Nasir Fayaz, Seyeed Ali Kazemi, Latif Mahmoud and Mostafa Sadat, who resigned from the television, told media to the Nai office at the time that the authorities were censoring their programs under the pressure of domestic and foreign officials.

Amin Babak, a TV program director at Ariana Said; "The reason for my resignation was the exploitation of the television authorities,"

Mustafa Sadat had similar reasons for his resignation and said employees at the Ariana TV did not have any occupational and psychological safety. For example, he said: "They asked me to commit and sign the letter that in the case of my death or injury during the work, the media in which I work is not committed."

8 - Illegal expulsions

A: Expulsion without prior notices

Another illegal media outreach to their employees is the expulsion without any prior notices, which is in contradiction with the labor law of the country. This method is used almost in the country's largest media, and there are limited media that deal with the legal principle of prior notice of discontinuance.

For example, Habibullah Ahmadi began work on Tolo TV in 2010, but two years after he continued, he was asked without a prior notice to the human resources department of the television and told him he would no longer cooperate with them.

Mr. Ahmadi said at that time: "I had been asked to contact the human resources office of the TV before, or if I had been contacted before, when I came to this office, they gave me the decree and the resignation of my servant at the same time and they said I cannot work with them anymore, and I still do not know the reason for ceasing cooperation with me. "

In late 1392, three of the television staff were expelled without any notice. Mubarak Shahram was the director of the Pechkari afghan program of 1 TV, and wrote in a letter dated 30 the of April 2014: "I had responsibility for a critical program, on December 16, 1392, by Mr. Andy (one of the foreign consultants of that time, TV one) I and the other three of my other partners became lightweight, and (we were told) you would be entitled to a salary for one

month and we will call for you, but after two months of this, no message was received from them, and when we want to Getting our right to the TV, do not allow entry, and do not respond when we ring. Still, the two titles I wrote, remained on the computer, and I cannot get it. "

The salary of Mr. Shahram was 75,000 AFN, which the TV did not want to account for it.

The Afghan Labor Law has foreseen a month before the cessation of cooperation with its employees, and if the media does not comply with this principle, it must pay a monthly salary to a worker who is unknowingly expelled.

All the while, in Clause 4 of Article twenty-third of the labor law, it is stated: "In the event of termination of the contract of employment for the reasons set forth in paragraph 1 of this article [which is an agreement between the parties], the administration is required to inform the employee within one month. "That is, if there is no agreement between the two sides and the folding of the work in the office is low, the administration is obliged to go through the legal status of the waiting person with the salary of his worker.

B: Getting fire for the reason of asking for salary

One of the managers of Aina TV told to Nai office about the recruitment in this TV network; The recruitment takes into account the necessity and talent of employees, and the separation is eliminated because of a lack of funding whenever an employee requests salary. Or he can get out of the office whenever he wants to. "

C: Not having overwork mode with salary

While the regulation of the way private mass media is set up and operated by the media, employees are obliged to comply with the law, and the labor law anticipates livelihoods in organizational terms, but in the survey, the information that has been obtained by Nai, Demonstrates that none of the media in Afghanistan has yet to enforce this rule of law.

Clause 1 of the seventh-second article of the labor law states: "In the case of organizational failure, a reduction in the number of employees or a long standstill, The Labor Law in the second clause outlines the status of the waiting state with such salary. "In a livelihood situation, the official in proportion to six months to one year, proportional to the length of service and contract staff, ranges from three months to six months, proportional to the length of service, of the main wage with its components.

A: Not paying "Job privileges"

While the regulation of the way the media is set up, media lawyers are required to comply with labor law and the labor law anticipates job-seeking in special cases of termination of the contract, but repos receipts in a media survey showed that reporters themselves are not aware of this issue.

However, if the media wants to terminate his work for more than six months and terminate his correspondence with his correspondent for a two-month jubilee, if the media wants to

terminate his work for more than six months, he will be required to pay "employment assistance" to the expelled employee. It's different degrees.

The second paragraph of article 25 of the Labor Law states that the [Media] is obliged to employees / journalists who have ceased their work for more than six months or whose media has been dissolved or abandoned, or the correspondent is sentenced to two years' imprisonment. Or refuses to work after reinstatement of the previous work, and terminate their contract, the last rank or grade of their wages based on their employment history "Employment Assistance".

According to this article, article 25 of the Labor Law, a journalist who has one year of work in a media, is entitled to one month's wages, parts and appendices, a journalist who has more than one year's history, a two-month wage, parts and appendices A journalist who has more than five years of work history, a four-month wage, its components and appendices, and a journalist who has more than ten years of work history, six-month wages, components and attachments by the media, and the media are required to pay.

9- Inadequate female reporter's salary

In several months of surveys, it became clear that all reporters faced difficulties as a violation of their rights by the media, but earlier on the wages and the status of female journalists work, the socio-cultural institute was drafted by publishing a poll at the end of Assad 1394, said that low-income journalists suffer a lot of work .

The study, which examines the status of Afghan women's journalism in two provinces of Afghanistan (Kabul and Balkh), suggests that female journalists are living with a lot of troubles.

The results of this research show that women's remuneration for work is not enough to cover their expenses and this has been a big challenge for these women. 69.7% of the respondents who have been interviewed in the survey say that their salary is insufficient, and those women who do more than formal and non-formal working hours also do not receive overtime pay. However, 19.5 percent of these women work in the media outlets without pay.

Women's journalists are also worried about their future, according to statistical statements of the survey. According to the results of this study, there is no journalism insurance in Afghanistan, which has prompted reporters to even recommend their friends to stop working in this field.

The report finds that one of the other problems facing women journalists in Afghanistan is access to information. A large number of public and government officials do not give women journalists information.

40.3% of women journalists in the study said that government officials or those who are in the press (spokespersons) departments of the ministries are not ready to provide information to journalists.

The research also shows that high rates of violence against journalists are one of the main challenges for women. According to the results of this study, 86.7% of media outlets said that there was no specific reference to addressing the issue of violence against Lady's reporters, especially women's journalists.

It should be said that the study conducted by the Institute for Socio-Cultural Equality aimed at examining the status of women journalists, identifying challenges and opportunities, as well as solving these problems based on the findings of the investigation and prosecution for drafting the policy of supporting women's planned journalists.

Based on this research, 19.5 percent of women journalists, without salaries, and 16.8 percent of them, had intercourse between about 5,000 and 10,000 Afghanis. Other (5.81%) of these women are paid between 10-15,000 afghanis.

Masoma Mohammadi, chairman of the socio-cultural institute of Balance, in which a conference was held on the occasion of the announcement of the results of the study, saying that they had begun the study from March 21, 2015, and had a lot of problems during the study.

10. Unsafe work environment

While article twenty-eight regulates the establishment of private media outlets for the media, it is the duty of the media department to create a safe and environmentally-friendly environment for harassment of employees, especially women, but findings suggest that male employees, in some cases, And the female employees in the media have not enjoyed the predicted immunity.

In a report released on 26 March 1395 by the Immigration Committee, it was said that more than half of Afghan women journalists face gender-based harassment .

In this report, gender persecution in the workplace, frustration with the family and the work of women and girls in the media, and the low pay for the basic problems of women journalists and girls in Afghanistan.

The Afghan Immigrant Security Committee, announcing the results of the first commentary on the work of women journalists, said that more areas of work are one of the positive points for women journalists. But reports show that female journalists have fewer qualifications than men.

Mr. Najib Sharifi, head of the Immigration Committee, said at the time of the publication of the report that 53% of the commentators said that their family members had difficulty working on their media. He added that 25% of the participants in Kabul, 50% in Balkh and 80% in Kandahar, said their families did not have the right to work in the media.

The poll also showed that 58 percent of families in the seven provinces said women could work on journalism in the event of a veil and a certain amount of travel time.

Another gender-related discrimination survey was that women journalists could work in the media earlier than men, which reaches 95 percent in Nangarhar and Kandahar.

Both The As many as 42 percent of women reporters said in the survey, working in the media causes not to find a wife and make up the family.

11. The Consequences of Regulatory Violations of the Establishment and Activities of Private Mass Media

But what if the rules governing the establishment and activities of private media outlets are not met by the media?

Article Six of the Regulation on the Establishment and Activities of the Private Mass Media states: "The Commission under article twenty-nine of this Regulation may, in the event of a violation of the provisions of this Regulation, be prosecuted in the following manner in accordance with the following conditions: a recommendation, a written notice, a cash penalty in the amount of ten 1,000 to 100,000 Afghanis. "

In Article 29 of the Regulation on the Establishment of Private Media, the creation of the "Dispute Resolution Commission" has been anticipated that disputes between the media and their employees should be reviewed and resolved.

The first paragraph of Article twenty-nine of this regulation states that "work-related disputes between the media department or the employee and employee may first be resolved through direct understanding between the relevant department and the employee", but in the second paragraph it is stated that "whenever a dispute Work-related problems can not be resolved by the media department or the staff and the worker, the issue is resolved through the Dispute Resolution Commission. "

The Labor Dispute Resolution Commission includes a representative from the Ministry of Labor, headed by the Ministry of Labor, a professional staff of the Ministry of Culture, two professional staff with the experience of the Media and Institutional Union, one from the Afghan National Army Workers' Union and one from the Ministry of Justice Membership is predicted. In the provinces, the same combination is foreseen with the head of the Department of Labor and Social Affairs.

But the commission has not yet been established, and the difficulties of reporters with the media continue to be undefeated.

Conclusion:

The overall conclusion of the report, it can be concluded that the media and private media bosses, are not eager to the implementation of the Regulation on the establishment and operation of private Mass media and journalists and media staffs have no labor law in their behavior .The results of this report, in a lamentable way, show that the future work safety of journalists will be facing with a variety of difficulties.

The Nai supporting open media in Afghanistan believes that if the status of the work of journalists and their contracts remains the same now, there are a number of uncontracted and compulsory labor, along with the regulation of the establishment and activities of private media and law of labor will not be respected for journalists.

Also, the Nai findings from interviews with reporters and media officials indicate that most journalists need to be more aware of labor laws and regulations related to their work. The lack of knowledge of journalists and media workers about the labor law and the regulation of the establishment and activities of private media outlets has led to the inability of media owners to keep the labor code and to less journalists' efforts to force media outlets to comply with labor laws and regulations.

The Nai office wants from employers and media owners, journalists, and the government to work in compliance with the regulations on the way media is established and the law of labor, to end the horizons and violations of journalists and perishing of legal rights.

In Article 29 of the Regulation on the Establishment and Activities of Private mass Media, the creation of the "Dispute Resolution of work Commission" is anticipated that disputes between the media and their employees should be reviewed and resolved. He urges the government to act as soon as possible to set up the commission and urges the media and journalists to provide ground for the implementation of labor laws and regulate the establishment and operation of private media outlets, by reforming contracts and paying salaries for media staffs. Nai office continues to urge all media professionals in the country to go to the Nai offices in five major cities of Afghanistan if they think that their contracts are violating the law in force in the country or if they do not have contracts, or through the Internet this institution will file a complaint about this.

The Nai office urges all media owners and administrative authorities of these institutions to work with media professionals on the basis of labor law and regulation of the way in which they establish and operate media outlets. If this is not the case, surely the Afghan government will be legally take actions on the basis of law and legal practices.