



MEDIA WATCH REPORT

Volume: 109

June: 2014

In spite of all risks and security challenges, Afghanistan's media once again fulfilled its national responsibility in covering the country's presidential runoff on June 14, 2014.

Media active role encouraged people to go to the polls without any concern and vote for their favorite candidates.

Believing that Election is a national process and that people should be assisted to participate in it, journalists ignored security challenges and risks and acted as people's eyes and ears in providing inclusive coverage until the very end of the polling day and the beginning of ballot counting.

Various Election programs and continuous reporting on the polling process indicated media's commitment to lawful and national values as well as their role as forerunners in the country's development and progress.

Despite the presence of partial media, the role of impartial media was dominant.

Although the Election Day went very good, various terrorist attacks took place which media, in understanding their national responsibility, refrained from covering them. This outraged Taliban terrorist group which called the country's media as supporters of the West.

Media Directors stood firm on their commitment made in the Media Directors National Conference. They did not fear from terrorists' serious threats. The winning candidate should not forget the crucial role of media and journalists.

There were five incidents of violence against journalists reported on the polling day on June 14, 2014; Nai Supporting Open Media in Afghanistan condemns these attacks.

The first case of violence involved Mr. Shamsuddin Shams, a Meetra TV journalist and cameraman, who was taken into custody and beaten in Jawzjan Province. He claimed that he was beaten by General Dostum's son-in-law.

In another incident in Herat City, police stopped the vehicle of Chakaad TV journalist, Mr. Naseri, while carrying his traffic pass, and violently behaved with him.

Making a report on Election process in Dar-e-Noor District, Nangarhar Province, Mr. Jamshed Malekzai, a Kilid Radio journalist, was harassed.

In Kandahar Province, Mr. Noor Aqa Maiwand, a journalist for Woranga local radio station, spent four hours in police custody for a picture that he took from a polling site.

Other than these incidents, journalists did not face any serious problem in other provinces. This is an achievement in its own right as it indicates that people and State officials understand the value of journalists' works.

The current issue of the Media Watch Newsletter contains the following topics:

- 1. Five incidents of violence against journalists reported on the runoff day**
- 2. Head of Payaam-e-Jawaan local radio station in Ghazni claimed beaten by members of Reform and Integration Election Campaign Team**
- 3. A Maiwand TV journalist threatened by Taliban**
- 4. The House of Representatives approved the Law of Access to Information**
- 5. Radio Yaw-waale journalist beaten in Zabul Province**
- 6. A journalist beaten by security personnel affiliated to the Chair of the Football Federation**

Five journalists encountered violence on the runoff day

Afghanistan's presidential runoff took place on June 14, 2014. Five journalists encountered violence on this day: Mr. Noor Aqa Maiwand, from Woranga local radio station in Kandahar Province; Mr. Shamsuddin Shams, from Meetra TV in Jawzjaan Province; Mr. Jamshed Malkezai, from Kilid Radio in Nangarhar Province; Mr. Nasrullah Momenzada, from Radio Payaam-e-Jawaan in Ghazni Province; and Mr. Naaseri from Chakaad TV in Herat Province.

Mr. Jamshed Malkezai, a journalist for Kilid Radio in eastern zone, claimed that he was insulted and threatened and his camera was seized on the runoff day.

Mr. Malekzai said that the Kilid Radio tasked him to report on Election process in Khewa and Dara-e-Noor Districts in Nangarhar Province. While making a report, Mr. Malekzai encountered violent behavior by individuals who supported a specific presidential candidate.

Mr. Malekzai told Media Watch: "When I took a picture, they forced me out of the polling site, threatened and attacked me. They seized my camera; my mobile phone fell down and broke."

Mr. Malekzai added: "They asked me who had sent me there; I produced my journalist professional card and my observation card from the Independent Election Commission and told them that I was there for observation. They told me to leave the District as soon as I could or else they would deal with me."

Mr. Malekzai also said that he received threatening phone calls on the runoff day.

Mr. Bashir Saafi, regional director of Radio Kilid in Nangarhar Province, told Media Watch that their journalists, while observing the polling process, encountered with misbehavior by supporters of one of the presidential candidates.

“We condemn the misbehavior with our journalists on the runoff day and ask security authorities to identify and punish the perpetrators,” added Mr. Saafi.

Another journalist, Mr. Noor Aqa Maiwand, claimed that he was beaten by security forces on the runoff day.

Mr. Maiwand, a journalist for Woranga local radio station in Kandahar Province, told Media Watch that after he wanted to take a picture of a polling center and publish it in Facebook, a security official misbehaved in violence with him. The incident took place at around 1:00 pm on the runoff day.

The journalist claimed that after he took a picture of the polling center, a police officer arrested him and kept him under observation for four hours in one of the Kandahar City Police District offices.

Another journalist, Mr. Shamsuddin Shams, from Meetra TV, claimed that he was behaved with violence on the runoff day in Jawzjan Province. According to Mr. Shams, he was chased by unidentified individuals and after hours of running away from them, he ran into Jawzjan province police.

Mr. Shams said that he and his colleague were chased after the chasers learned that they worked for Meetra TV.

Also Mr. Nasrullah Momenzada, Head of Payam-e-Jawan radio station in Ghazni Province, claimed that individuals affiliated to a presidential candidate beat him and broke his professional equipment on the runoff day.

Mr. Momenzada said that when we intended to take a picture of a fraud scene in progress in Jaghori District, he was beaten by those who were committing fraud.

Media and journalists have responsibility to cover national processes such as the Election in coordination with Independent Election Commissions and security institutions.

Publishing and broadcasting Election-related news and encouraging people to cast their votes are among responsibilities of journalists.

Blocking news coverage of such a national process as Election will bring the transparency of the entire process under question and will allow fraudsters to extensively commit fraud in favor of their favorite candidate.

When certain individuals block news coverage of the Election, it clearly shows that such individuals play a role in committing widespread fraud. Such fraudsters should be identified and brought to justice.

Media Watch at Nai Supporting Open Media in Afghanistan regrets the violent incidents against all five journalists on the runoff day and hopes that such incidents do not happen again.

In spite of insecurity and violence against citizens and especially voters, journalists did not face any serious problem in other provinces. This is a big achievement in its own right and indicates that people and State officials understand the value of journalists' professional works.

Nai Supporting Open Media in Afghanistan appreciates the tireless efforts of journalists and media in the country in providing news coverage of Election events and asks all media directors to provide their journalists with incentives.

Head of Payaam-e-Jawaan local radio station beaten in Ghazni

Mr. Nasrullah Momenzada, head of Payam-e-Jawan radio station, which locally operates in Jaghori District in Ghazni Province, claimed that members of the Reform and Integration Election Campaign Team beat and threatened him on the runoff day.

Mr. Momenzada told Media Watch: "When I was reporting on two polling centers in Jaghori District, I noticed fraud practice and took a picture of it. Then, Mr. Enayatullah Changezi and Mr. Rezayi, members of Reform and Integration Election Campaign Team, beat me."

Head of Payaam-e-Jawaan Radio also claimed that the mentioned individuals seized and broke his camera and other professional equipment.

But Mr. Changezi rejected the claims made against him and told Media Watch: "Nothing of the sort happened and I did not engage with anyone on the runoff day. All such claims are lies and a planned conspiracy to defame people of Jaghori."

Mr. Changezi added that if there were any threatening or beating concerned, then there were the District governor, the District police chief and other Government officials in Jaghori District who should have been informed of such an incident.

Mr. Changezi claimed that Mr. Momenzada, head of Payaam-e-Jawaan radio station cooperates with Continuity and Change Election Campaign Team and acts according to their instruction.

At the same time, Mr. Ehsanullah Alamyar, District police chief in Jaghori, accepted that a brief quarrel took place between the two sides, but said that he received no formal complaint about the incident.

Payaam-e-Jawaan radio station began its broadcast in Jaghori District in 2012 and has ever since broadcast news, entertainment and educational programs.

Nai Supporting Open Media in Afghanistan calls on local officials in Jaghori District to investigate the claims made by the Head of Payaam-e-Jawaan Radio and bring the perpetrators to justice.

Afghanistan laws recognize beating, threatening, and insulting of journalisms as crime and if Mr. Momenzada's claims prove to be true, then security officials are obliged to act according to the law.

A Maiwand TV journalist threatened by Taliban

Taliban have threatened to kill Mr. Ali Mojtaba Taaheri, a Maiwand TV journalist, through sending him letters and giving him phone calls in the past several months.

Taliban letters, one dated on September 16, 2013 and the other dated on March 26, 2014, asked Mr. Taaheri to give up his journalist profession or he would be responsible for any bitter consequences that would ensue.

Mr. Taaheri told Media Watch: "So far I have received two letters from Taliban and terrorists who asked me to quit my work at 'infidel media and TV stations' otherwise the decision has been made to punish you."

"I was responsible for editing news and reports on the Election at Maiwand TV and was receiving several emails from Taliban spokespersons on a daily basis, from which I was not publishing unreasonable claims made by them," added Mr. Taaheri.

Mr. Taaheri continued: "Once I was passing a street in Kabul City that I received a phone call which threatened and asked me: 'why don't you use quotes by Taliban spokespersons in your reports?'"

Mr. Taaheri's family lives in a village in Ghazni Province. Taliban and other terrorists have been seen around the village. He has not gone home since he has been threatened and has remained in Kabul.

Mr. Taaheri's colleagues are aware of the threats against him to an extent. Mr. Seyawash Zemni, news editor of Maiwand TV, told Media Watch: "On the eve of the presidential and provincial councils' Election right after killing of Mr. Sarदार Ahmad and his family by Taliban in Kabul, a number of media and journalists decided to refrain from broadcasting and publishing news of terrorist attacks. This decision was later extended and, in a meeting of media directors from all over Afghanistan, the extension was determined to remain in effect until the end of the presidential runoff."

In response to this decision, Taliban in their internet webpages called all media as dependent to the West.

Media Watch at Nai Supporting Open Media in Afghanistan calls on the State to do its utmost in providing security and protection for journalists and media. The State of Afghanistan, according to the country's Constitution, is obliged to protect its citizens. But, the last 13 years show that the Government of Afghanistan has fallen short of providing security and protecting its citizens - journalists in particular. Afghanistan judiciary has not followed up any file of killing of journalists and has brought no perpetrator to justice so far.

The State's neglect of this important aspect has encouraged perpetrators of violence against journalists to continue threatening, intimidating, and beating of journalists.

House of Representatives approved the Law of Access to Information

The House of Representatives approved the Law of Access to Information on June 30, 2014 the Law contains six chapters and 32 articles. It was wandering in Governmental offices in the past three years.

The Law of Access to Information makes possible the open circulation of information in society and is one of important laws for the citizens of Afghanistan – in particular for the country's journalists and media.

After debating on its draft, the House of Representatives approved the Law of Access to Information in six chapters and 32 articles with the majority of the votes.

The draft was sent to the House of Representatives nearly two months ago. Prior to that, it spent about three years in Governmental offices and was subject to debate among various Governmental authorities.

Only three out of 156 present Representatives voted against approving the Law and the House modified only four pieces in three articles.

House Representatives voted on the dissenting articles of the draft and as a result omitted three provisions from two articles and modified one provision in Article 17:

The first provision in Article 6 in the draft version of Law of Access to Information provided by the Government suggested that administrations and offices were obliged to provide the applicants with the demanded information within a maximum of 15 days. The House Representatives shortened this period into 10 days.

The House Representatives approved that the Chair of the Commission for Observation of Access to Information be elected by the members of the Commission. But a number of Representatives suggested that the Minister of Information and Culture should chair the Commission. They argued that the Minister of Information and Culture is accountable to the Parliament and an accountable person should chair this Commission. But the majority of the Representatives disapprove this suggestion.

The House also omitted the first provision from Article 15 in the draft. In this provision, the Government suggested that the State will no publicize the information that may violate Afghan citizen's human rights.

The sixth provision of the same article in the draft, the Government suggested that the State will not share with the public the information on other countries that may cause cutting of cultural, social, political, and economic ties with the respective country(-ies). The House omitted this provision with the majority of the vote.

The sixth provision in Article 17 of the draft suggested that the minimum professional experience of individuals who seek membership of the National Commission for Observation of Access to Information should be three years. The House of Representatives modified this minimum to five years.

Mr. Abdul Hafiz Mansoor, a House Representative told Media Watch that approval of Law of Access to Information is an important achievement for journalists and people of Afghanistan. Representative Mansoor added: "The Constitution of Afghanistan recognizes access to information as a citizen's right. Yet there was not a particular law to regulate this right and so the State and Non-State institutions did not feel responsible to provide citizens with requested information. They were not ready to provide the requested information."

The House finally approved the Law of Access to Information after years of media advocacy organizations that accused the Government of procrastinating and repeatedly demanded the Ministry of Justice to send the draft of the law to the House.

People, journalists, media advocacy organizations and civil society institutions welcomed the approval of the Law of Access to Information.

Nai Supporting Open Media in Afghanistan released a statement in which it welcomed the approval of the Law of Access to Information and called the execution of this Law crucial for open circulation of information in Afghanistan.

Journalists unions, advocacy organizations, and veteran journalists drafted a tentative version of Law of Access to Information and sent it to the Ministry of Information and Culture nearly three years ago. After spending several months, the Ministry of Information and Culture modified the draft and sent it to the Ministry of Justice on February 21, 2012. It took several months and intense debates between officials in the Ministry of Justice and experts in Nai Supporting Open Media in Afghanistan until the draft was refined and sent to the Council of Ministers. The Council of Ministers further debated on the draft and the Government finally tasked a commission constituted of the Ministers of Information and Culture, Justice, Hajj and Religious Affairs, and Deputy Director of National Security Council to discuss the technical problems of the draft Law of Access to Information and solve them.

Article 50 of Afghanistan Constitution clearly states: “The citizens of Afghanistan shall have the right of access to information from State departments in accordance with the provisions of the law.” This article continues: “This right shall have no limit except when harming rights of others as well as public security.”

This Law guarantees the right of all citizens to access information that they demand. No information can be kept secret unless indicated in this Law.

The Law of Access to Information helps Anti-corruption organizations to access essential documents and evidence and therefore enables them to actively fight against corruption.

The Law of Access to Information puts an end to excuses made and pretexts played by State officials in sharing information as it makes the latter as compulsory. Article 6 of this Law clearly States that administrations are obliged to provide media with the requested information within three working days.

Lack of access to information has been a major challenge before Afghanistan journalists and has exposed them to violence in the last 13 years.

Absence of Law of Access to Information had paved the way for State officials to escape from providing journalists with information as the former never considered him or herself obliged to provide information.

Nai Supporting Open Media in Afghanistan considers the House approval of Law of Access to Information a major step forward for Afghanistan's journalism and calls on the Senate to immediately approve and send it to the President for signature.

Radio Yaw-waale journalist beaten in Zabul Province

Nesaar Ahamd introduced himself as a journalist for local radio station Yaw-waale in Zabul Province and claimed that a Company Commander beat him and broke his camera and his mobile phone.

The journalist for Radio Yaw-waale told Media Watch: "I was making a report on a football match between Shekh Mati and Etehaad teams. After the match was over, I witnessed that the Company Commander handcuffed two participants of the game. I wanted to record the incident, but encountered a serious response from the Commander who beat me and broke my camera and my mobile phone."

According to Mr. Ahamd, he introduced himself that he was a journalist, but the Commander did not pay attention and beat him.

The journalist claimed that after released by the Commander, he directly went to the hospital and had documents that indicated injuries in his neck.

Mr. Ahmad also claimed that there was also another journalist from National Radio Television beaten in the incident.

Meanwhile, General Ghulam Sakhi Rogh-Lewani, Zabul Province Chief of Police told Media Watch that the journalists were dressed in local dress and quarreled with the Commander. He emphasized that he had arrested the Commander who beat the journalists.

He promised that if it would be proven that the Commander deliberately beat the journalists then he will be dealt with in accordance with law.

Zabul Province Chief of Police said: "We will not let any person to threaten, insult, or beat another person and will investigate the case and will punish the perpetrator."

Media Watch condemns beating of Radio Yaaw-waale journalist, and calls on security officials in Zabul to punish the perpetrators in accordance with law.

Journalists carry the duty of reporting information. Neither police nor any other security personnel have the right to prevent a journalist from making report or taking pictures or films, let alone to beat them. Beating journalists under any circumstance is strictly against the law and perpetrators should be arrested and brought to justice.

Preventing journalists from covering news will deprive citizens from their right of access to information and this is in violation with effective laws of the land.

A journalist beaten by security personnel affiliated to the Chair of the Football Federation

Rafi Kabiri, a freelance, claimed that when he wanted to make a report on the girls' football team in National Olympics Committee on June 2, 2014, the latter opposed and then Mr. Keramuddin Karim, Chair of Football Federation, ordered his security personnel to beat him and seize his camera.

Mr. Kabiri said that the Afghanistan Women Football Federation had invited him to cover the semi-finals.

Mr. Kabiri said that he had coordinated with Mr. Amin Amini, Coach of Esteqlaal e Kabul Team and Head of Women's Committee of Afghanistan Football Federation to come to the stadium and film.

According to Mr. Kabiri, while he was filming the match, staff of the publishing and broadcast office seized his camera for lack of prior coordination to enter the stadium.

“When I wanted to inform the Chairperson of Afghanistan Football Federation, Mr. Keramuddin Karim, he did not listen to me and instead insulted me and ordered his security personnel to beat me,” said Mr. Kabiri.

At the same time, Mr. Ebrahim Mahboob, Head of Esteqlaal Football Club, told Media Watch that preventing journalists from covering women's premier league was censorship and that it would negatively affect progress of women's football.

“If the situation continues this way, we will not have any hope for the future of women's football in Afghanistan and will not see a good prospective for ourselves to continue in this field,” said Mr. Mahboob.

Mr. Amin Amini, Coach of goalkeepers at the Football Federation and coach of Esteqlaal Football Team, told Media Watch that preventing from filming the women's match will even leave the coach helpless in learning about shortcomings of the play in order to improve.

Mr. Kabiri added that Esteqlaal Women's Football Team has already boycotted the premiere league to protest the ban on broadcasting their activities and achievements.

Mr. Farshid, Head of Public Relations at Afghanistan Football Federation, told Media Watch: "As per decision of the Chair of the Football Federation, media should inform the Commission in written correspondence prior to coming to the Federation.

The head of Public Relations at Afghanistan Football Association claimed that Mr. Rafi Kabiri had filmed the game without prior notice to the Federation.

"Nobody has beaten the journalist and what is reflected in social media on beating of Mr. Kabiri is not true," added Mr. Farshid.

Currently, Mr. Kabiri works as a reporter for a civil society organization which is active in the area of women progressive activities in Afghanistan and help women in the areas of sports, health, and social participation.

According to Mr. Kabiri, their activities are published and broadcast online through internet pages. Media Watch believes that no individual has the right to beat a journalist; beating journalists is a crime and its perpetrators should come under legal pursuit.

Media Watch also calls on journalists to arrange their reporting activities in advance with those organizations that demand so and therefore prevent any ground for misunderstanding.

Attention!

All journalists and media organizations are hereby notified that Mr. Mohammad Qasem Rahmani works with the Media Watch in the capacity of Media Lawyer. Those journalists and/or media outlets that face legal issues in connection with their media related and journalistic activities, or need consultation on performing such activities, may contact him by phone at **0799 830 905** or via email at: m.qasim@nai.org.af .

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To obtain a soft copy of the report, please visit the following link: <http://www.nai.org.af/Mediawatch.htm>

Note:

1. *To maintain confidentiality and to protect sources it was not possible for Nai Supporting Open Media in Afghanistan to corroborate the incidents by carrying out additional investigations.*
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