

Nai Supporting Open Media in Afghanistan



نای حمایت کننده رسانه های آزاد در افغانستان
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MEDIA WATCH REPORT

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Preamble:

Media Watch 89th Report

Media workers are facing state restrictions and increasing violence. One of the basic requirements for media work is security — yet Afghan journalists are under increasing threat and the government is unwilling or unable to protect them. Combined, these are major threats to the Afghan press and free speech.

Three separate assassination attempts against journalists in many parts of the country have sent fear through the Afghan media community. Unidentified gunmen attacked Ariana Radio reporter Abdul Hadi Kamyar on Oct 8, 2012 in Aqcha district, Jawzjan. According to his doctor, he was severely injured and unconscious when he was transported to a hospital. He was hit several times in his stomach, chest and face and his condition is still critical. Asia Press reporter Irshad Onaryar survived an attempted assassination attempt in Kabul following a knife attack. Unknown men attacked Radio Irshad Manager Mohammad Mehdi Yar while he was traveling home to the Sholgar district of Balkh province on Oct 6, 2012. He managed to escape.

This increase in violence against journalists presents an alarming situation in the coming years. Media Watch requests the global community, including international organizations in support of free press, to assist Afghans in protecting our right to freedom of expression.

The following topics are covered in this report:

1. Relevant Afghan political parties and civil society organizations criticize Karzai Administration's lack of protection for media workers
2. Attempted assassination of Balkh province reporter
3. Manager of media press agency center survives assassination attempt in Kabul
4. Taloqan school principal allegedly assaults reporters
5. Female reporter threatened in Kandahar
6. Nai obtains documents showing government attempts to restrict press
7. Nai awards certificates of appreciation to three journalists for women's rights coverage

8. Nai submits petition for inclusion of a media literacy course in state education curriculum
9. Draft Access to Information Law submitted to the Ministry of Justice

1. Relevant Afghan political parties and civil society organizations criticize Karzai Administration's lack of protection for media workers

President Karzai ordered the Information and Culture Ministry to take appropriate actions against media outlets he labeled “confusing.” Media workers, civil society representatives and some political parties criticized the president’s attack on the media.

The President responded with a press release on Oct. 4 accusing domestic and international media of negative propaganda and psychological warfare against his regime.

“The psychological war of the foreign press against the government of Afghanistan is that if international forces leave Afghanistan in 2014, civil war will occur,” he said.

Criticism was extended to Afghan media: “However, my audience is the Afghan media; Afghan press, Afghan television and radio stations unfortunately repeat and broadcast what is published by foreign media and is also repeated by our analysts.”

Addressing journalists President Karzai said: “Afghanistan’s media has the right to criticize the shortcomings of the government, but the criticism should not be harming and deterring people’s perceptions and thoughts through disruptive talk shows and reports. When our media outlets say that tomorrow foreigners leave Afghanistan and traders will take their businesses, it is not a service to country.”

Moreover, Mr. Karzai criticized political analysts and asked them to defend and promote the national interest of Afghanistan in their radio and television programs. When national interests such as stability of the country, economic development, democracy and national integrity are mentioned they should not only defend them, but also promote positiveness.”

The government’s criticism, particularly the president’s criticism of the media evoked serious reactions from various organizations and political parties, with some calling the remarks unconstitutional.

Nai Supporting Open Media in Afghanistan regards the remarks as censorship and an attempt to restrict the media. Via an official letter, Nai requested clarification. Journalist unions in Kabul had similar reactions.

The Rights and Justice Party in a press conference accused the government of restricting the media. Party representative Mo’een Marastial said that the government can set parameters for the media through the Media Law, not other avenues. In response to the president’s criticism of political analysts,

Mr. Marastial said: “In exchange for assistance, the international community asks for mutual commitment from the Afghan government and when the government of Afghanistan fails in implementing its commitments, it tries to blame political parties and the media.”

In a press conference on Oct. 7, Information and Culture Minister Makhdom Raheen said that the president does not intend to censor the media and no decree has been issued. “I would like to say that journalists and recent discussions of the president’s statements especially print media like journals and daily newspapers are based on a misunderstanding.”

Mr. Raheen reassured the press that the government of Afghanistan is still committed to supporting a free press.

Media Watch regards these comments as a way of restricting the Afghan press. Instead of these kinds of statements, the Afghan government should effectively implement the Media Law so that media workers in the country can work.

2. Attempted assassination of Balkh province reporter

Mohammad Mehdiyaar, manager of Radio Irshad was attacked in Sholgar district of Balkh province while on his way home on Oct. 6. Mr. Mehdiyaar says the attack took place about one kilometer outside the station. A gunman fired at him, but he escaped death, he says.

He told Media Watch: “I was on my way home on motorbike when a man tried to flag me down to stop. I ignored him and kept on and that’s when he fired at me. The bullet went through my sleeve and burned my hand.”

The assassination attempt has caused concern among other Radio Irshad staff. Station director Ashraf Aryan said the station’s staff urged Mr. Mehdiyaar to spend a few days at home.

Mr. Aryan said that prior to the shooting, station staff had been threatened by phone. “When the station was established, unknown persons were telling our staff to leave their jobs.”

Mr. Irshad said that he was threatened by unknown persons to stop broadcast. The station employs several women, which is probably the source of the threat.

There is growing opposition to women working in media. Media workers in other parts of the country, including Kabul have been facing threats, violence and opposition. IWPR reporter Mina Mabib says she was threatened on several occasions to stop working.

Media Watch wanted to report this issue earlier, but lack of reporting prevented publication of this story.

3. Manager of media press agency center survives assassination attempt in Kabul

Three armed men viciously attacked Asia Press News Agency Manager Irshad Onaryar in Kabul on Oct. 9.

Mr. Onaryar told Media Watch: “Unknown persons in masks with knives attacked me in Kart-e Se on Oct 9. It was about 7 p.m. and I was on my way to the university when I arrived at the end of the Omara Jan Kandahari Road in Pul-e Surkh. Three men called out to me and I thought they were robbers who wanted to use the cover of darkness to rob me. I left my computer on the road, but they came straight for me.

He continued: “They beat me and kicked me, and when I saw that one of them held a knife, I shouted for help. People emerged and that’s when they ran.”

Nai Supporting Open Media in Afghanistan strongly condemns attacks and assassination attempts of journalists and we call on the police to identify and arrest assailants.

Nai Executive Director of Nai Abdul Mujib Khalvatgar described the attack as a “new shock and concern” for the media. He added: “The government, particularly the administration, should prevent such actions and should assure the people that journalists’ professional life is secure and they, the journalists could follow their activities in safe and secure situation.

Mr. Onaryar wrote under a pseudonym and he was working as manager of the Asia Press News Agency. Most the topics that he was preparing were against extremisms and pro-democratization. Mr. Onaryar suffered internal bleeding as a result of the assault.

Media Watch is very concerned about the increase in violence against journalists and we urge the government, particularly the police to identify the assailants and arrest them so that they are prosecuted. Furthermore, Media Watch once again asks that the government officials to take proper procedures in expanding freedom of expression and protecting the lives of the journalists so that journalists are no longer victimized.

Media Watch also calls on the international community and foreign entities supporting freedom of expression to assist the people of Afghanistan in protecting this great value and they should not allow the freedom of expression to become victim of those who are against freedom of speech.

4. Taloqan school principal allegedly assaults reporters

Several journalists in Taloqan city claim that Sayed Nezamuddin Zeyarmal, principal of Abu Osman High School, insulted and assaulted them. Reporters say they were attacked when they attempted to cover a student protest over corruption in the school and recruitment of students to a party. Journalists were confronted by the principal, two teachers and police when they arrived at the school.

Shafiq Poya, owner of *Najwa Weekly*, claims that he has was assaulted and threatened by Mr. Zeyarmal. Mr. Poya said: “While I was interviewing a student, the principal along with two teachers and a policeman attacked the reporters. He grabbed my hand and tried to take my equipment, but I didn’t let him and he hit me. I have shots of all these violent scenes and he also threatened me and said he could create problems for me through his party.”

Mr. Poya says that the journalists are used to such confrontations, but he is concerned about the principals’ threats.

Radio Ham Sada reporter Shaheen Neero told Media Watch that she was insulted. “As we were preparing our report, Mr. Zeyarmal came and insulted reporters with bad words.”

In an interview with Media Watch, Mr. Zeyarmal denied the reporters’ claims. He added: “Shafiq Poya wants to create chaos in education centers and he wanted to create chaos with the support of his friends at this school.

Department of Education Director Amanullah told Media Watch: “The education law has clarified all the issues and specified the responsibilities and authorities of school principal and students. “The conditions for education are improving daily and yearly. We cannot guarantee these issues, and as I mentioned before, to resolve these problems we need more coordination.”

Mr. Aman emphasized cooperation and added that until coordination is created between different segments of society, such issues will be repeated.

Media Watch strongly condemns insults and attacks against journalists by any group and we request an investigation into these claims and punishment of perpetrators. This issue should be seriously investigated so that the actual cause of these problems becomes clear. Journalists should also carry out their job based on Media Law and principles of journalism ethics and they should not move beyond that.

5. Female reporter threatened in Kandahar

Radio Afghan Azad Radio reporter Homa Ahmadi is one of a few female journalists working in Kandahar. She lives in Qul Urdo area is facing growing problems from security officials. Ms. Ahmadi told Media Watch: “The office that I work rents a car for staff transportation and this caused problem for me and my family. A representatives of the area stopped my father who is a police officer and asked him to leave the house.”

Ms. Ahmadi said she is very upset, particularly because she has not done anything to earn this reaction. Her family cannot afford to move, and as a media worker, she feels safer in her neighborhood.

Media Watch discussed the issue with the Kandahar governor representative. Spokesman Jawid Faisal spoke to Media Watch via telephone: “More than 20,000 families live in this area and no one can force anyone to move out.”

Media Watch asks that Kandahar officials work hard to protect and defend media workers. The governor’s spokesman assured Media Watch that Ms. Ahmadi’s family would not face problems. Media Watch asks regional authorities to take some practical steps and punish those who have threatened Ms. Ahmadi and her family.

6. Nai obtains documents showing government attempts to restrict press

Nai Supporting Open Media in Afghanistan has obtained documents entitled “Draft of minimum requirements for the improvement of mass media broadcast on Oct. 11, 2012, which clearly shows the government’s intent to restrict press activities. The plan is titled decree #45 and is address sent to all government agencies and was prepared by the Information and Culture Ministry and sent to the

Ministers' Council.

Nai Executive Director Abdul Mujeeb Khalvatgar held a press conference to publicly reveal the documents. He said: "Before obtaining this document Nai had concerns about government efforts to restruct the media work and this document proves that our concerns are not unfounded."



This document has four sections. The first section describes general requirements of the press; the second section details criteria for state media; the third section details about private media criteria and the forth outlines miscellaneous criteria.

Mr. Khavatgar said: "Any kind of interference should be in accordance with the Mass Media Law because the only criterion for media and journalists is the Mass Media Law. Instead of creating new criteria, the Information and Culture Ministry should try implementing the Mass Media Law. There is no need to prepare or design separate requirements to implement the Mass Media Law."

This draft in addition to the banned issues mentioned in the Media Law contains five other banned issues. The banned issues which are included in this draft in addition to Article 45 of Mass Media Law are as follow:

Publication of issues that encourage bias and create chaos

Issues that damage the physical, ethical and mental development of children who are under legal age

Publication of issues that will harm the national unity and sovereignty

The mass media should have serious sensitivity to national interest, security, territorial integrity and national sovereignty and should consider the above criteria in their publications

Scenes of violence should be displayed at its lowest level on televisions.

Mr. Khalvatgar added: “There are eight prohibited items in the Mass Media Law and now five more items have been added. The government is acting beyond the law and added more prohibitions to restrict the media. This violates the media law and the Constitution.”

Moreover, the draft decree requires television and radio stations to use simple and understandable words. According to Nai, the government of Afghanistan clearly wants to use and emphasize national terms.

Media Watch regards this as a violation of the law and condemns acts that restrict the work of media. The government of Afghanistan is obliged to defend the freedom of expression and media. Restricting the activities of media is against the effective laws of the Islamic Republic of Afghanistan.

8. Nai submits petition for inclusion of a media literacy course in state education curriculum

Nai Supporting Open Media in Afghanistan in a press release called on the Ministry of Education to include a media course in the state education curriculum to raise awareness of the media’s role in Afghanistan.



Media Watch Manager Sediqullah Tauhidi said: “To promote awareness of freedom of expression and the media, we request that the Ministry of Education include a course or lesson entitled media literacy in the official curriculum.”

Mr. Tauhidi added: “Nai is ready to help the Ministry of Education in preparing lessons. Our main objective with this request is that the new generation become aware of freedom of expression and media and how it works so that they support the media. When a literacy course is taught, then supporters of freedom of expression will grow and journalists and media can continue their work in a better situation.”

Nai’s office request was immediately appreciated by the Education Ministry.

Ministry spokesman Amanullah Eman said: “The Ministry of Education is aware of the importance of media and freedom of expression. The media is regarded as the fourth power of the government and we strongly believe in that. The Ministry of Education is ready to help in this regard and we understand the importance of the media in today’s world, thus it is really important for us that our youth know more about freedom of expression. The Ministry welcomes this proposal.”

Mr. Eman also welcomed offers to assist the ministry in creating a curriculum.

Media Watch is happy about the fact that the Ministry of Education welcomes the proposal and believes if it is implemented, future generations will learn about the importance of freedom of expression, which will promote the institutionalization of democracy and freedom of expression in Afghanistan.

9. Draft Access to Information Law submitted to the Ministry of Justice

Nai Supporting Open Media in Afghanistan in partnership with Integrity Watch Afghanistan has expressed concern about the delay in the completion of the draft law on access to information; Nai and IWA sent a package of suggestions from civil society organizations and a group of media outlets to the Ministry of Justice for improvements to the draft law.

In a press conference held at Nai on Sept. 29, 2012 civil society organizations and a number of media outlets, these organizations and media outlets showed their concern for lack of access to accurate information and lack of legal framework. They say they face challenges in preparing investigative reports.

These organizations criticized the government for not providing accurate information, the way ratification was done and financial issues of the contract of big projects. They say that the government officials are obliged to provide accurate information for the media and public except some special circumstances.

Media Watch Manager Sediullah Tauhidi said: “The right to access information is one of the prerequisite of freedom of expression and government officials are required to provide accurate information expect in special circumstances.”

Mr. Tauhidi mentioned that a lack of access to information is the one of the main problems journalists face. In most cases, government officials are unwilling to respond to public requests for information.

He added: “According to their suggestion in this package, all governmental organs are required to give training to their staff about the rights to access to information and these employees should provide the important information to media outlets when needed.

Tauhidi said: “Due to the absence of an access to information law, we have been deprived from investigative reporting and we don’t even know how contracts are prepared or how its revenues are spent. With the approval of this law media work can be facilitated.

Mr. Tauhidi mentioned that the suggestions and opinions of journalists will help the government in approving a strong law and government entities will be responsible for providing information within 24 hours or otherwise within 15 days.

IWA Director Yama Turabi. “If this law is approved soon and the suggestions and opinions of civil society organizations and media outlets are considered, there would be ease in the work of media. Access to information makes the work of free media effective and improves the quality and efficiency of social and civil institutes and increases the participation of public in establishing of good governance.”

Mr. Turabi said the national monitoring commission of this law should work transparently adding that the government needs to publish some of the information before the applicants make requests.

Abdul Rauf Herawi, director of the law and investigation department of the Ministry of Justice after getting the package of suggestions said: “The Ministry of Justice is trying to prepare a better law without drawbacks.”

Mr. Herawi acknowledged the delay in completing the rights to access information and said: “the suggestions of the social society organizations shall be acceptable for the Ministry as long as they do not harm the public security and reputation.”

He said: “In accordance with the Constitution and international conventions we are responsible for providing information to people as long as it does not harm public security and reputation. We will try to complete work on the law by the end of fall season.”

A number of journalists believe that if the suggestions made by civil society organizations and media outlets are incorporated, it will facilitate media work.

Ismail Jahangeer, a journalist in Kabul, said that if the draft is approved, the media will play a very good role in Afghan society.

Radio Killid reporter Ahmad Massoud Nikzad told Media Watch: “The approval of this law will be very important for journalists and the public because the government has not provided first-hand information to people so far.”

The draft of the “right to access information” was prepared by civil society and human rights organizations and sent to the Information and Culture Ministry. After several reviews a copy of the law was sent for further review to the High Media Council and then to the Ministry of Justice.

The draft contains 51 articles obligating governmental officials and non-governmental organizations for providing information to the public and it will be monitored by a national commission.

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>

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