

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:

To see a decrease in cases of violence involving media workers is a common goal of journalism associations. Unfortunately, new statistics for 1391 show that media workers continue to face risks and difficulties during the course of their work. In addition to the challenges posed by government and non-government actors, the media is facing restrictions and threats to press freedoms.

Furthermore, a lack of access to information is a serious issue. A draft law on access to information has sat in parliament for more than two years. Most government officials refuse to give information to reporters. In many cases, government persons cooperate with some media while blocking others.

Augmenting these challenges are human resource issues in violation of labor laws by media employers. In some cases reporters work under extremely difficult situations. To address these problems, a draft labor policy was submitted to the Information and Culture Ministry more than a year ago. It has yet to be presented to the cabinet for approval. Reporters in Afghanistan lack appropriate job protections and benefits. Media workers can be fired at any time without recourse, they lack retirement benefits, health insurance and in some cases transportation. In some cases, there are non-compete clauses that prevent reporters from working for other media organizations for a specified period of time.

Despite these challenges, Afghan media continues to evolve and grow, particularly digital media. In 1391 six television and 12 radio stations started broadcast. There is a growing interest among young people to pursue journalism as a profession. There has also been a decline in women joining the profession in the last three years.

The below topics will be covered in this report:

- 1. Reporters assaulted by security of private hospital in Kabul**
- 2. Reporters assaulted by security forces in Jalalabad**
- 3. Nine percent increase of violence against reporters**
- 4. Nai submits recommendations to Independent Election Commission**
- 5. *Nokhust* prints new issue after year-long hiatus**
- 6. Afghanistan's mass media analyses**

Reporters assaulted by security of private hospital in Kabul

Zhowandon TV media workers claim they were assaulted by individuals working for City Laboratory, a private hospital based in Kabul. In a separate incident, employees for Channel 1 and Negah TV channels were assaulted by officials from another hospital. In the latter case, the networks were covering a visiting delegation from the Public Health Ministry, the High Office of Oversight and Anti-Corruption, and the Attorney General's Office.

The delegation was tasked with inspecting hospitals based on a presidential decree issued on 10 December 2012. During the inspection, the National Private Hospital located in Karte Nau broke cameras and assaulted reporters. Negah TV reporter Basir Alizada told Media Watch that a man named Dilawar Khan attacked them for no reason.

Channel 1 TV Editor Sami Mehdi reported the case to Media Watch. He said that the camera operator was beaten and his equipment was trashed by hospital employees.

Sayed Nasir Ebrahimi, a Channel 1 cameraman, hospital doctors took part in the assaults.

“Initially the director of the hospital attacked me and the Negah TV reporter and then staff, including the doctors, attacked us. My camera was smashed against a wall until it was broken and I was being hit so I abandoned the rest of my stuff and ran from the hospital in my sandals.”

Mohammad Arif Noori, an attorney who was part of the delegation said hospital staff ignored their warnings and insulted the delegation too. He said: “The hospital had some problems, certainly, which is why hospital staff tried to keep them from being covered.” The hospital's health violations are a legal matter and will be investigated, he added.

In a separate cases, a reporter and cameraman for Zhowandon TV were assaulted by City Laboratory security guards in Kabul.

Ajmal Nezami, producer of “Shahre Na Pursan” program and cameraman Hamid Barekzai were preparing a report about the hospital's blood exam results for driver licenses. During their attempt to film the story, they were attacked.

Mr. Nezami told Media Watch: “When I went to the Traffic Department and asked them why they're not accepting the blood test results of 500 applicants who were tested at City Laboratory I was told that there is a discrepancy with the results. We decided to go to City Laboratory and share this with officials. They refused to comment and they assaulted us.”

City Laboratory officials claim that reporters came unannounced and a small argument took place. They denied that any equipment was damaged.

City Laboratory President Dr. Rezwanullah Ahmadzai told Media Watch: “The cameraman for Zhwondon TV came without contacting us and they started filming without permission so our guards attempted to prevent them. The only damage was a torn shirt.”

He added: “We have been severely threatened. We received letters from the National Directorate of Security and the Ministry of Interior not to allow anyone to take images from the hospital.”

Media Watch condemns the assault of reporters and media workers, which are against the law.

We ask security and judicial officials to identify the perpetrators of violence against reports and to prosecute them. No punishment of violators of law and perpetrators of violation has caused the increase of violence statistics against reporters.

Reporters assaulted by security forces in Jalalabad

At least seven media workers who were covering the aftermath of a terrorist attack on 24 February were assaulted, abused and had their equipment confiscated by security forces in Jalalabad city. The attack took place outside the Nangarhar department for the National Directorate of Security and reporters and photographers who tried to cover the scene faced restrictions from security officials.

Media Watch spoke to reporters in Jalalabad, who claimed that seven reporters are seriously assaulted. Zhwandon TV reporter Ziar Khan Yad said that he was assaulted three times in 15 minutes. He said: “I was attacked the first time while taking photos. The second time I was struck is when I wanted to leave the area and reporters asked me why I was being assaulted. During my interview with them, I was assaulted again.”

Pajhwok Afghan News agency reporter Babrak Ameerzada was also assaulted. He told Media Watch that a total of seven reporters were assaulted and abused by security forces.

Media Watch tried more than 10 times to get a comment from the Nangarhar provincial governor and Ministry of Interior without success. Media Watch condemns the multiple assaults by security forces and we call on officials to prevent attacks on media workers by security forces. Similar incidents occur regularly. A similar event took place last month. The commander of the Kabul police promised that he will identify and punish the perpetrators, but no actions have been taken.

So again we call on security agencies to prevent illegal attacks on citizens and media workers. These incidents weaken the public trust. Security forces must understand that just as they are responsible for maintaining security, reporters are providing a public service by providing information to the public.

Nine percent increase of violence against reporters

The annual Media Watch report highlights a nine percent increase in incidents of violence against reporter in solar year 1391 compared to the previous year.

In a press conference held at Nai Supporting Open Media in Afghanistan on 20 March, Media Watch Manager Sediqullah Mr. Tawhidi said: “In 1391 most cases of violence involving reporters were committed by government officials.”

Mr. Tawhidi criticized the government and non-government agencies and warned about negative ramifications. Based on the report, there were 71 cases of violence were recorded including murder, injury, detention, assaults, verbal insult and intimidation.

The report documents 71 cases. Of these, 46 cases were committed by government, four by the Taliban, one by NATO forces, while 12 cases were from unknown sources and eight cases were committed by non-government sources.

Mr. Tawhidi cited lack of prosecution as reasons for the increases in violence.

Mr. Tawhidi also highlighted positive media developments in 1391. He cited the creation of six television channels, 12 radio stations and and the re-organization of the National Federation of Journalists.

Nai submits recommendations to Independent Election Commission

Nai sponsored a seminar on news coverage of next year’s election campaigns, the review of media complaints and violations and the code of conduct for election coverage. After collecting and collating the comments received, Nai, Supporting Open Media in Afghanistan, submitted a packet of recommendations to the Independent Election Commission.

In a press conference held at Nai, Media Watch Manager Seddiqullah Mr. Tawhidi said: “The method of media coverage of the election campaigns, the complaints and media violation were two issues that were discussed and submitted in a package to IEC.”

Mr. Tawhidi added: “In addition to impartial, balanced and fair reporting, the media should encourage public participation in the election based on ethical and patriotic reasons.”

Mr. Tawhidi asked the IEC to seriously consider the recommendations because in the last election, reporters faced a host of problems.

IEC Legal Chairman Khalid Orya spoke at the conference. He said: “These recommendations by reporters will be amended and reflected in a code of conduct and election procedures with respect to media relations.”

***Nokhust* prints new issue after year-long hiatus**

Hashmat Radfar, the editor-in-chief of *Nokhust* newspaper told Media Watch: “From the beginning of its activities, *Nokhust* newspaper has experienced many ups and downs.” He cited a lack of advertising for non-digital media as one of the main reasons for the newspaper’s temporary closure.

“We made many efforts to continue the voice with a new approach and different vision,” he added.

Reporter Jawed Rostapoor said: “We restarted with a very committed team.”

Media analyst Dastgeer Huzhabr told Media Watch: “Non-governmental print media in Afghanistan faces many challenges. The lack of a newspaper reading culture is one of the biggest challenges, which is why many print media can’t stand on their own.”

Media Watch believes the government should support private and state print media. The government can assist through commercial ads and free broadcast of print media.

If print media thrives, newspapers will become part of the culture and contribute to more information access.

On the other hand, with the growth of digital media in the country, the public’s expectation of print media has changed. Readers do not want to read news that they heard a day earlier through radio. Print media leaders should find unique ways to attract readers to contribute to the expansion of a newspaper reading culture.

Analysis of the provisions of the Media Law in Afghanistan

Important note

The media watch is to have some analyses on the Afghan media law and republish it through its periodicals. In this issue, the media watch is presenting the first part of such analyses:

Part one

Article 1: (this law has been enacted in line with the principles and provisions of the holy religion of Islam and pursuant to article 34 of the Constitutions and in observance of article 19 of the Universal Declaration of Human Rights.)

In the first article of this law, its orientation on the principles of Islam, article 34 of the Constitution and article 19 of the Universal Declaration of Human Rights has been explained.

The reason why the legislator has based the law on the principles of Islam is that media institutions ought to regulate their activities in accordance with the framework of religious values. Article 34 of the Constitution recognizes the right of freedom of expression: “Freedom of expression shall be inviolable.. Every Afghan shall have the right to express thoughts through speech, writing, illustrations as well as other means in accordance with provisions of this constitution. Every Afghan shall have the right, according to provisions of law, to express his/her viewpoints through speech, writing, illustration or other means. Every Afghan shall have the right to publish and disseminate articles without prior notice to government authorities and in accordance with the provisions of the law.”

In the same way, article 19 of the Universal Declaration of Human Rights states: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

Taking into account what we have said so far, the Afghan Media Law has been enacted on the basis of these three pillars; religion, legislative documents and the Universal Declaration of Human Rights to which Afghanistan is signatory. Though there are some contradictions among

these three pillars, nonetheless, we can regulate media activities in the framework of this law and to pursue media activities.

Being aware of the above three pillars can help journalists and media institutions protect themselves from falling into any legal slippage and by respecting the Afghan Media Law, journalists and independent media can enjoy full support of the government.

The Afghan Media Law has been enacted “considering the principles and provisions of Islam.” This very sentence can bring about a lot of trouble in the way of journalists and media; for there are so many provisions in Islam that it is almost impossible for the journalists and media to comply with; nevertheless, it is a lot easier for journalists and media to move in line with the principles of Islam. If these principles are observed and complied with, there will be little chances for media practitioners to be accused of disseminating anti religious materials.

In a country such as Afghanistan; where people strictly adhere to religious and traditional beliefs, it is indispensable for the media practitioners to respect this article.

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:

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