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Media Watch Report

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The current issue of Media Watch newsletter covers the following topics:

- A journalist killed in Eastern Afghanistan
- A journalist escaped a deadly attempt to his life in Ningarhar province
- Daikundi journalists complained lack of access to information
- Journalists continued to face challenges to access to information
- Afghanistan's media reported reduced revenues
- Nai Supporting Open Media in Afghanistan reacted to the House of Representative's approval of amendments to the Mass Media Law
- Financial-support box established for journalists
- Radio Police FM, Radio-e-Qahramanan, started to broadcast in Kabul





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Afghanistan's first journalist victim in 2015, Mohammad Aaqel Weqaar, was shot dead by armed men in Ningarhar province in mid-January. He was working as an investigative reporter for a social and legal organization. He had also worked as a journalist for a local radio in Batikot district until two months before he was killed. The young journalist, still a 12th grader at high school, was killed at a time when concerns keep growing over deterioration of security conditions for journalists across the country.

Last year, with a record loss of eight journalists' lives, was the bloodiest year so far. Media Watch registered 125 cases of violence against journalists in 2014.

The trend should not continue this year. The government of Afghanistan should try and punish perpetrators of violence against journalists in accordance with laws of the country and through strict enforcement of rule of law. It should also devise appropriate strategies to improve safety of journalists. If it fails to take these measures, then 2015 may even be worse than the last year for journalists and media in the country. A higher rate of violence against journalist and violation of human rights will negatively impact the government's approval rates in the eyes of the public and will hurt its prestige internationally.

In another incident, a Zhwandoon-TV journalist narrowly escaped a terrorist Taliban's ambush on his way back from Kunar province where he had traveled to conduct interviews and make a report.

On the other hand, journalists in Daikundi province complain about lack of cooperation from government officials in sharing information with media. Director of Radio Nasim claimed that in cases where journalists insist to get the information they need, government officials threaten them.

The inauguration of the national unity government raised expectations for media and journalists to enjoy improved conditions. Prior to assuming office, both leaders of the government promised via separate written memos to media to protect freedom of speech. However, it seems they have taken steps in the opposite direction to curb freedom of speech. The newest challenge against media and journalists is the proposal for amendment of the Mass Media Law, approved by the House of Representatives. It is against freedom of speech and in violation to the Constitution of Afghanistan. The president should reject signing it.

Continuation of violence against journalists has prompted self-censorship among them which has been hurting freedom of speech and subsequently campaigns for anti-corruption, good governance and ultimately a better and safer society.





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A journalist killed in Eastern Afghanistan

Mohammad Aaqel Weqaar, an investigative reporter for a social and legal organization and a former journalist for Speen Ghar local radio station, was shot dead by armed men in Ningarhar province on January 17, 2015.

Slain Mr. Weqaar, attended the wedding ceremony of one of his friends in Batikot district, Ningarhar province, where armed men entered the house and directly fired at him. He was killed and two of his friends injured.

Sher Mohammad Bahadur Hemmat, director of Radio Speen Ghar told Media Watch: Mr. Weqaar had no personal atrocity with anyone and the attack at him is directly related to his journalistic works.

According to Mr. Hemmat, Mr. Weqaar resigned from Radio Speen Ghar nearly three months ago and began his new work at an organization focused on anti-corruption. He was working on investigative reports about corruption.

Ezzat Mohammad, the slain journalist's brother, told Media Watch that his brother had no personal atrocity toward anyone and had never annoyed anyone.

Haaji Ghalib, district governor of Batikot, confirmed the incident in which armed men killed Aaqel Weqaar and injured two of his friends.

Meanwhile Fazel Ahmad Sherzad, police chief of Ningarhar province, told Media Watch that

They have yet been to find clues about the perpetrators and have been trying to identify and arrest them.

Mr. Sherzad has also added that the slain journalist was not a prominent one.

Nai Supporting Open Media in Afghanistan responded to the killing of Mr. Weqaar and called it an act perpetrated by enemies of freedom of speech. Nai demanded from the government of Afghanistan to pay serious attention to prevent 2015 from becoming an even worse year for journalists than the last one.

Sediqullah Tawhidi, director of Media Watch at Nai Supporting Open Media in Afghanistan, told media that they witnessed loss of one of their colleagues in the first month of 2015.

Mr. Tawhidi said that although the government of Afghanistan is responsible for providing security for media and journalists in the country, yet, time and again it has demonstrated no attention on the issue of insecurity.

“We demand from the national unity government to take essential security measures for the safety of journalists and open circulation of information,” added Mr. Tawhidi.

Although the real motivation behind this case of murder is not clear yet, but Nai Supporting Open Media in Afghanistan asked security authorities in Ningarhar province to arrest and bring to justice the perpetrators.





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Nai supporting open Media in Afghanistan

Mr. Weqaar has been the first victim of violence against journalists in Afghanistan in 2015.

Last year was the bloodiest year for journalists in Afghanistan as eight journalists were killed. If the government of Afghanistan does not take appropriate approaches for security and safety of journalists, and media, they will face even more challenges this year. This will not be acceptable for the people of Afghanistan.

Sixty journalists were killed all over the world in 2014 with eight of them lost their lives in Afghanistan. Further, scores of journalists were threatened, insulted, and beaten across the country throughout the last year.

A Zhwandoon-TV journalist escaped a deadly attempt to his life in Ningarhar province

On January 20, 2015, after conducting interviews and making his reports, Farhad Saafi, a Zhwandoon-TV journalist was on his way back from Kunar province to Jalalabad city in Ningarhar province when armed men attempted to stop his car. The driver resisted and the armed men fired at their car.

Farhad Saafi told Media Watch: Armed men with masked faces opened fire at our car and wanted to kill all riders in the car but could only break the glasses.

Mr. Saafi suspected Taliban for the ambush and believed that it was pre-planned. Mr. Saafi speculated that the attackers may have received information on his travel back from Kunar to Jalalabad and so hid in ambush on the way. He added that his team had conducted interviews with high-profile officials including the chief police commander in Kunar province and carried important material including images and films that indicated successes made by the police and the defeat of Taliban in Dangam district of Kunar province. The evidence also proved Taliban's attack on civilians.

"I do not think that the attackers were simply robbers on the road. I believe they had prior information on cutting our way," added Mr. Saafi.

Ningarhar Police confirmed the incident in which the journalist's car was destroyed but no one was hurt.

Colonel A'uzubellah, chief of operations at Ningarhar Police Headquarters told Media Watch: "The journalist carried material and evidence that show police's achievements. Taliban may have received information and decided to prevent these material from reaching the center.

Mr. Saafi, who survived the attack, told Media Watch that journalists' lives are always in danger while government officials have not taken serious measures to provide them with essential security.

Mr. Saafi said this was the second time that he came under attack in less than a year. He escaped an earlier armed attack on Kabul-Jalalabad highway without any serious injury.





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Media Watch at Nai Supporting Open Media in Afghanistan strongly condemns attacks on journalists and calls on all fighting sides in the country to respect journalists, allow them to conduct their professional work and make their reports, and do not attack on them.

Media Watch also calls on Ningarhar Police and security officials to identify and arrest the perpetrators.

Police has the obligation and responsibility to protect, life and property of all citizens in the country. Since journalists are more vulnerable than others, they need more attention from the police to prevent any violence against them while they are making their reports.

Daikundi journalists complained lack of access to information

Radio-Nasim staffs and journalists in Daikundi province called lack of access to information as one of the biggest challenges for media and journalists there. They said that whenever their journalists insist on getting access to information, local government officials insult and sometimes even threaten and beat them.

Radio-Nasim officials urged that if state officials do not solve this problem and continue to withhold requested information from journalists, they will cease radio broadcasting and abandon reporting.

Reza Waahedi, director of Radio Nasim in Daikundi, told Media Watch: Accessing and obtaining information from state offices have turned into a serious problem for our journalists. When Radio-Nasim journalists visit state administration offices to conduct interviews for their reports, they face inappropriate behavior. Some state officials tell them that the Capital (Kabul) has not grant them permission to talk and take part in interviews by journalists.

Director of Radio Nasim added that whenever they want to make reports on political, economic, and social issues, state organs do not cooperate with them. He emphasized that citizens need to know about the amount of developmental budget that each state organization spent by the end of the year. They should also know about the extent to which women have access to justice, and about the state of the due process in courts. But the state officials do not respond to these calls.

“Recently, our journalists visited Provincial Departments of Justice, Office of the Attorney General, and the Court to obtain the information they needed. They were denied. I personally visited these offices but had no luck either,” said Mr. Waahedi.





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Nai supporting open Media in Afghanistan

He particularly criticized the Provincial Department of Justice and the Court as they both refrain from sharing with media even the most basic information. According to Mr. Waahedi, his colleagues visited these organizations to get information about complaints made by a mother who claimed that, in return for assessing her file, one of their staffs proposed for her daughter. But they refused to share any information with the journalists and said that the Capital has instructed them not to talk with media.

But officials in Daikundi province, once again, announced their readiness to cooperate with journalists and media.

Habibullah Radmanesh, deputy governor of Daikundi, told Media Watch: All state institutions are obliged to provide information to journalists. The problem between the court and Radio Nasim initiated on a misunderstanding which has been solved now.

Mr. Radmanesh added that even though courts are independent, but they accepted our request and agreed to respond to an interview with Radio Nasim.

Radio Nasim, however, insisted that there are also other state offices who do not honestly cooperate with media and journalists. According to Mr. Waahedi, whenever an official refuses to respond to an interview call by Radio Nasim, and the report mentions his refusal to talk, then his office begins to threaten Radio Nasim.

However, the deputy governor of Daikundi rejected this claim and called it as a sign of immaturity on the part of Radio-Nasim journalists.

“They broadcast that they despite repeated attempts to connect, they did not manage to get the official’s views. But they should understand the difference between ‘failed connection’ and ‘refusal to answer’,” said the deputy governor.

On the opposite, the deputy governor criticized media outlets that broadcast on a national scale and questioned their lack of coverage and reporting on Daikundi’s achievements and problems.

Journalists and media complain from lack of access to information in Daikundi while the Law of Access to Information was passed by the Parliament, signed by the President, printed in the official gazette, and has been effective now.

Media Watch at Nai Supporting Open Media in Afghanistan believes that access to information is one of the fundamental rights of the citizens. According to the Constitution of Afghanistan, all citizens have the right to access all information but the one forbidden by law.

Those organizations and institutions which refuse to share information with citizen, commit unlawful action and are accountable to the nation and before the law.





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Nai supporting open Media in Afghanistan

Journalists continued to face challenges to access to information

Two months have passed since the President signed the Law of Access to Information, there are positive changes in access to information yet to occur.

Media community in Afghanistan has continuously faced serious challenges in getting access to information in order to make investigative reports. State resources have refused to provide requested information to media. In some cases, journalists were left with no information even to make routine reports.

After the draft Law of Access to Information was approved by the Parliament and signed into law by the president, the media community raised their hopes that journalists and other citizens will be able to get immediate access to information. But journalists still continue to face challenges in accessing information and complain that the Law has not brought any actual ease on the ground.

Sharif Amiri, an investigative reporter for Tolo TV, told Media Watch that unlike the high expectations that the Law of Access to Information will solve the problems that journalists face in getting access to information; it seems that it has not actually been fully implemented yet.

“[Officials] are yet to understand the newly approved and signed Law and therefore they still resist sharing information with journalists. We expect that journalists face less of such challenges in the coming months,” added Mr. Amiri.

In a recent instance, Mr. Amiri mentioned that the Ministry of Public Health refused to share requested information with him. He planned to make an investigative report about the Kabul River’s waters which are believed to be toxic, but the Ministry refused to share any information with him.

Wali Aryan, an investigative journalist at 1 TV, also complained that the newly signed Law of Access to Information has not changed the attitude of government officials in withholding information from journalists.

“The government still refuses to share information with journalists, as it did in the past,” added Mr. Aryan.

Mr. Aryan also criticized judicial institutions for not sharing any information with journalists. He specifically mentioned the Supreme Court that despite his frequent efforts to get information on the Kabul Bank case, refused to share any information with the journalist.

“Neither the Supreme Court nor the Office of the Attorney General did share enough information on the Kabul-Bank case. With the new cabinet of the national unity government, we hope that the government starts to share information with journalists,” added Mr. Aryan.





Despite continued challenges, journalists are still hopeful and believe that with the new cabinet beginning their work, the government will seriously implement the Law and journalists' problems in getting access to information will be gradually solved.

But why an effective law does not get implemented? Mohammad Qaasem Rahmani, legal advisor to Nai, believes that there has been a lack of political determination for implementation of laws. Mr. Rahmani adds that when the Constitution is violated, it will be wishful to expect other laws to be implemented in detail.

Mr. Rahmani counts the reasons for failure in implementation of the Law of Access to Information as following:

- The culture of secretism prevails in state administration as most of state officials consider any related information as the state's important secrets and refuse to share them.
- The Law of Access to Information is new and takes time for implementation.
- Also a number of state officials are still unaware of the fact that access to information is fundamental human right.

On the other hand, Fahim Dashti, chief executive of Afghanistan National Journalists' Union, believes that the reason behind the lack of implementation of the Law is [the government's] refusal to establish the commissions that are mentioned in Mass Media Law.

"Implementation of the Law depends on the establishment of the commission," added Mr. Dashti.

The Law of Access to Information has set the approaches for implementation of the Law: The Commission for Observation of the Right to Access Information and the Commission for Provision of Information should be established to pave the way for the implantation of the Law.

Mr. Rahmani, legal advisor to Nai, believes that as long as these commissions are not established and the awareness of state officials, who are in possession of state information, are not properly raised to the point so that they accept that citizens are the ultimate owners of such information, it will be difficult to expect the implementation of the newly effective Law of Access to Information.

Mr. Rahmani called on civil society organizations to continue their continuous advocacy for demanding implementation of the Law of Access to Information as well as other laws of the country.

After three years of back and forth circulation among the government offices, the draft Law of Access to Information was approved at the House of Representatives on June 30, 2014 and was signed into law by the President on November 30, 2014. The Law consists of six chapters including 32 articles.





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Nai supporting open Media in Afghanistan

The Law of Access to Information paves the way for open circulation of information in society and is among significant laws for the citizens of the country, particularly for journalists and media.

Media Watch at Nai Supporting Open Media in Afghanistan expresses its concerns over lack of implementation of the Law of Access to Information and demands the national unity government to do its utmost in implementing the Law.

Article 50 of Afghanistan's Constitution grants citizens of the country the right to full access to information. On one hand, this right will help realize the fundamental right of the citizens, on the other hand, it will help the government of Afghanistan in its endeavor to fight corruption.

Afghanistan's media reported reduced revenues

A number of media directors and journalists called the inconsistency in the national unity government's administration and policies as a major challenge on their way and reported a consequent severe financial condition. Abdulaziz Ibrahim, publisher of Moqaddam Weekly in Kabul told Media Watch: During the election campaigns season, print media could survive financially through publishing campaign advertisements of the candidates. However, now, even broadcasting media are on the verge of collapse. "The election campaigns season is over and now even commercials have declined," added Mr. Ibrahim.

Mr. Ibrahim further commented that if the government resume to function and leave suspension of its projects, security improves, and trade flows, then investors will tend to invest in the market and spend on promotions and advertisements. This will subsequently help media to finance their activities.

Mohammad Shahrokh Taaheri, chief editor at Radio Sarahang in Kabul, also reported financial limitations in extending their license and paying fines charged by the Ministry of Telecommunication. He said that an outlet which cannot earn enough revenues to run its daily broadcasting programs, will be less likely able to pay its high fines to the Ministry of Telecommunication and to the AISA.

Mr. Taaheri said that the Ministry of Telecommunication charges a 100% fine on the media outlets which have been unable to pay their due fares for the frequency license. "How much should a media outlet earn in revenues to be able to pay AFG 108,000 to the Ministry of Telecommunication for renewal of its license? Those media that owe this amount can neither afford to pay it nor to shut down their outlets," added Mr. Taaheri.

Media in provinces are in no better condition. They report that there are only about 20% of commercial sources in the provinces and yet they tend to support specific media outlets.





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Nai supporting open Media in Afghanistan

Atiqullah Nazari, director of Radio Television Sema-e Mehr in Takhaar province, said that due to inconsistent financial resources, they are counting down to shut off their outlet.

Mr. Nazari added that his outlet has yet to pay the salaries of its employees while it also has due charges to the Ministry of Telecommunication for renewal of its license.

“We had 24 staffs before we decided to shrink the number to 12. We have also limited our broadcasting hours from 20 to 10 per day. In addition to financial problems, we also face security problems,” said Mr. Nazari.

He asked the national unity government to take serious measures to change this condition and prevent media from shutting down.

Sediqullah Tawhidi, director of Media Watch at Nai Supporting Open Media in Afghanistan, says that most of media outlets have been relying on commercial advertisements and projects implemented by the international community. Now, with the foreign troops withdrawing and the international community’s assistance drying down, media will suffer severe financial setbacks.

“Delay in announcing the cabinet of the national unity government and inconsistency in its policies and programs have left deep impacts on the advertising organizations and caused media serious financial hardships,” added Mr. Tawhidi.

According to Mr. Tawhidi, media in the provinces will suffer more and are on the brink of shutting down. The government should devise appropriate approaches to prevent this from happening.

“Fundamental approaches include the government’s essential financial support for media and revision of bank guarantee requirement and AISA taxes for media,” said Mr. Tawhidi.

Although its predecessor administration devised no approaches to support media in the country, the national unity government is expected to fulfil its promises on supporting media and journalists.

Now that media generally experience serious financial problems, the national unity government should step in and devise appropriate approaches to support open media so that they can maintain their voice and meet the people’s right for access to information.





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Nai Supporting Open Media in Afghanistan reacted to the House of Representative's approval of amendments to the Mass Media Law

In an unexpected decision on January 28, 2015, the House of Representatives approved with two third of votes an amendment to the Mass Media Law in which they accepted the Minister of Information and Culture as the chair of the Mass Media Commission.

Nai Supporting Open Media in Afghanistan called the amendment to the Mass Media Law in opposition to the spirit of freedom of speech in the country and in violation with the Constitution.

Abdulmujeeb Khalvatgar, executive director of Nai Supporting Open Media in Afghanistan, stated in a press conference in response to the recent decision of the House of Representatives: "In a pre-planned act, the House's Commission on Religious and Cultural Affairs caught other members of the House in an inevitable circumstance so that they can approve an amendment to the Mass Media Law as they desired."

Recently, the ex-Minister of Information and Culture decided to legalize a Commission for Assessment of Media Violations, which was retained against the provisions of the Mass Media Law. In order to do that, he proposed amendments to provisions of the current Mass Media Law with regards to the Mass Media Commission in which the Minister himself was introduced as the Chair of the latter commission. He sent his proposal to the Parliament. The House of Representatives approved the amendments but the Senate rejected them. A bicameral delegation was then appointed to address the issue which failed to reach a conclusion. Ultimately, the House of Representatives re-approved the amendments on January 28, 2015.

Nai calls the chairing role of a cabinet minister in a commission that assesses media violations in violation with the Constitution and expresses its concerns on inability of such a commission to protect freedom of speech especially when the rising trend of violence against journalists is mainly caused by the governmental officials.

According to international principles for freedom of speech, media observing institutions should be independent and free from governmental influence. This has been the case in most of the countries where freedom of speech has thrived. In such countries, the law even guarantees independent mechanisms for electing members of such institutions as well as an independent budget. The current amendment approved by the House of Representatives is in violation with article 34 of the Constitution and will exacerbate an already problematic atmosphere that has been existed between the media community and the Ministry of Information and Culture.

Nai officials believe that based on the legacy of the recent 14 years, a Mass Media Commission chaired by the Minister of Information and Culture has implemented governmental intentions toward media and time and again, based on unjustified reasons, referred several media outlets to the Office of the Attorney General for investigation.





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Nai supporting open Media in Afghanistan

When the Minister of Information and Cultures chairs the Mass Media Commission, the latter's independence will be compromised and it will turn into a state commission.

Nai Supporting Open Media in Afghanistan calls on the national unity government to refuse signing the amendments into law and instead refer it to the Supreme Court for a final decision based on the provisions of article 34 of the Constitution.

Financial-support box established for journalists

The Ministry of Information and Culture established a financial-support box for journalists years ago. Then, for unspecified reasons, the box remained empty until recently.

The question of a financial-support box for journalists resurfaced again after an increase in deadly attacks on them. It was especially raised after a Meetra-TV cameraman, Ahmad Zubair Haatami, was killed and two of his colleagues were injured in a suicide attack in Kabul.

Officials in charge of the financial-support box for journalists claim that they have been elected through an election and added that renowned politicians, business people and high-ranking governmental authorities have made donations to the Box.

On January 5, 2015, Asef Wardak, who was introduced as chair of the Box, said in a press conference: "The re-activation of this Box is a good start for financial support of journalists. It has a semi-insurance status."

Mr. Wardak said that recently, high-ranking governmental authorities including General Abdurrashid Dostom, the first vice-president and Atta Mohammad Noor, caretaker of Balkh province have made donations to the reactivated Financial Support Box for Journalists.

After a terrorist attack at Isteqlal High School in Kabul city which killed and injured Meetra-TV journalists, governmental authorities made donations to this Box.

The first vice-president donated \$10,000, and the caretaker of Balkh province donated \$5,000 to the Box. A number of businesspeople, members of National Assembly, Provincial Councils, and former governmental authorities also made donations to the Box.

Haamed Obaidi, a board member for the Box, told Media Watch: The Box has collected AFG1, 000,000 so far. In its first act, it donated AFG50, 000 to the family of slain Zubair Haatami and another AFG50, 000 for the families of the other two Meetra-TV cameramen.

Meanwhile, Najmuddin Mawaaj, deputy chair to the financial-support box for journalists, told Media Watch that in order to qualify for assistance from the Box, each journalist should obtain prior membership of this platform.





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But a number of journalists complained about the election process for the chair and members of the financial-support box and said that they were not informed about such an election.

Protesting journalists also criticized management and observation of the Box and expressed their concerns over possible misuse of the Box's funds.

Jawed Rostapoor, chief editor of Kherad Weekly, said: Beforehand, vague approaches in creating and managing such boxes were involved. Now this Box has set up a membership system by which journalists should get membership and pay monthly dues.

Afghanistan's journalists have been suffering from lack of such a fund. Whenever a journalist got injured while on duty, neither the government of Afghanistan nor advocacy organizations have been able to support them.

The establishment of such a financial-support box for journalists is an important step. Nai Supporting Open Media in Afghanistan hopes that the Box can effectively and efficiently support journalists and allow no ground for misuse of its funds.

Radio Police FM, Radio-e-Qahramanan, started to broadcast in Kabul

The Ministry of Interior launched Radio-e Qahramanan on radio wave 96.5 FM in Kabul on January 25, 2015 to seek public cooperation with police.

Sediq Sediqi, spokesperson for Ministry of Interior, stated the main purpose of the newly launched radio network as helping bridge police with citizens of Afghanistan.

“Fighting against criminals is among the fundamental duties of the police. At the same time, public cooperation and people's responsibility toward their environment and community prompts us to build closer relations with them,” added Mr. Sediqi.

On the other hand, Mr. Sediqi added that, the Ministry leadership needed to directly receive citizens' opinions and suggestions on how to tackle challenges in their communities and improve the security condition. Radio-e Qahramanan will do this job. “Through this radio, Afghanistan citizens can directly share their problems and challenges with officials at the Ministry of Interior,” said Mr. Sediqi.

Radio Police FM operates in Dari and Pashto in Kabul every day from 8:00 AM – 4:00 PM. It has initially cost AFG3 million. Officials at the Ministry of Interior have promised that the operation hours for the radio will increase and the radio's coverage area will expand in a year from now.





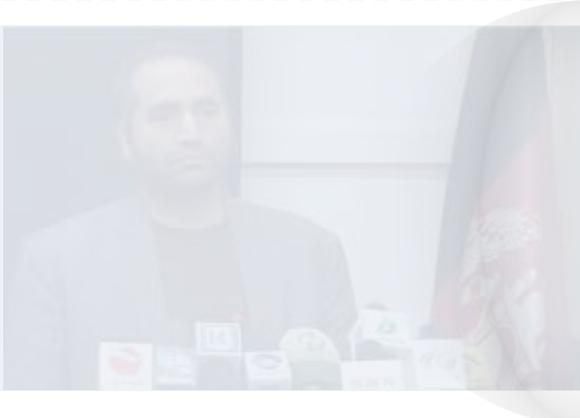
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Mohammad Ayub Salangi, caretaker for the Ministry of Interior, stated at the inaugural ceremony of the radio: Trust and cooperation between security forces and people will make enemies fall short of reaching their targets. Mr. Salangi added that cooperation between people and police has left significant effects on improvement of security conditions.

This is the first time that the Ministry of Interior launches a radio station to attract further public cooperation with police forces.

The caretaker for the Ministry of Interior emphasized that it is people's responsibility to cooperate with police forces in detecting crimes and improving security.

Media Watch at Nai Supporting Open Media in Afghanistan welcomes the launch of Radio Police FM by the Ministry of Interior and hopes that the station can meet society's needs through realistic and effective broadcasting.





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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/Media-watch.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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