



Journalism Freedom Report v.11

Media Watch Afghanistan

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In newly developing societies where tolerance is a luxury and people do not listen to each others' voices, freedom of expression faces challenges. In this environment it is common for figures of power and authority to be in conflict with the media - a traditional means for sharing information with the community.

In this current political environment Media Watch continues to receive news of conflict and intolerance:

- Baluchestan residents allege three Afghan television channels were banned in Baluchestan province, by the authorities of the state of Baluchestan, Pakistan.
- Gul-e-Narenj poetry festival in Ningarhar province disrupted by a governmental official preventing a poet to read his poem until the end.
- Radio Sada-e-Haqiqat (Samangan) in trouble with governmental authority.
- Watandar weekly newspaper banned after a conflict with Mohammad Younis Qaanooni, chairman of the National Assembly.

At the same time Media Watch is pleased to report some positive changes in the media sector:

- The third Mass Media Law of Afghanistan was gazetted and publicly released.
- The Independent High Commission of Information and Communication for Afghanistan met at the UNESCO in Paris, France, to work on a long-term development strategy for Afghanistan Media.
- *The Peoples' Independent*, Khost province first daily newspaper, was established by a local businessman and a team of journalists.

1. Three Afghan Television Channels Banned in Baluchestan, Pakistan:

On March 16, 2006, the state-run Baluchestan Electronic Media Regulatory Authority (BEMRA) ordered that cable networks impose a ban on three Afghan channels (RTA, Tolo TV and Ariana TV). According to the Pakistani authorities, this ban was imposed because the channels were broadcasting anti-Pakistani propaganda. Jalal Kakar, an official of the (BEMRA), told the BBC in an interview: “these channels are constantly broadcasting anti-Pakistani propaganda. Even ordinary people living here will tell you that these channels are broadcasting anti-Pakistan propaganda.”

Saad Mohseni, the Director of Tolo TV (one of the channels banned in Baluchestan) said in a press release “We are alarmed at news that TOLO has been banned in Baluchestan (Pakistan) as our station is very popular in that province as well as in the NWFP, Punjab Sindh and other parts of Pakistan”.

The press release also said Tolo TV will continue to broadcast “accurate and balanced news without taking into account the impacts on local authorities”. Meanwhile, RTA also issued a press release criticizing the Pakistani military government’s angry reaction, saying it was without reason.

Later on, on March 19th, 2006, Najeeb Roshan, General Director of RTA, said in a press conference that when asked, the Ministry of Foreign Affairs of Pakistan refuted the ban on Afghan TVs.

But Mahmood, who lives in Soorkai Road, Kuta city of Baluchestan, told Media Watch last March that “Ariana, Tolo TV and RTA have not been accessible via cable for at least one and a half months”.

Afghan channels in Pakistan are mainly watched by Afghan migrants and Pashto speaking Pakistani citizens. These channels are available in many cable networks of the country.

2. Gul-e-Narenj Poetry festival disrupted:

Every year upon the beginning of the spring season, Narenj poetry festival is celebrated by the Department of Information, Culture and Tourism of Jalalabad city, in Nangarhar province. A large number of poets read out their poems in this festival; thousands of interested people come from various provinces and even neighboring countries to listen to the poems.

Every year, a commission is established by the Department of Information, Culture and Tourism to organize the poetry festival. Poets interested in participating have to submit their poems to the commission and only then and with the approval of the commission are they allowed to read out their poems during the festival.

This year’s Narenj poetry festival, which took place on the 6th of April, 2006 in the Shahee palace of Jalalabad city, was disrupted by the interference of governmental authorities. While a young poet, Taher Shah Safi, was reading out his poem criticizing the policies of Pakistan against Afghanistan, he was interrupted by Gull Agha Shirzai, the Governor of Nangarhar province.

According to Ziarmal, one of the poets attending the event, “Tahir Safi was violently brought down from the stage by Gull Agha Shirzai and prevented from reading out his poem”.

Following this, as a sign of protest, the other poets tore their poems and left the event. When Media Watch contacted Gull Agha Shirzai’s office by phone, he refused to give an interview. Media Watch later approached the office of the Ministry of Interior spokesperson who quoted the Ningarhar governor as follows: “during this poem festival, one of the poets whose poem was of poor morality and not worth listening to, was prevented from reading. Nothing more happened and the poetry festival ended in good humor”.

But Tahir Safi, who was not allowed to read his poem, rejected the allegation of immorality against his poem and added that his poem had been approved by the commission in charge of the festival. Mohammad Hashim Gham Sharik, director of the Department of Information, Culture and Tourism of Ningarhar province claims on the contrary that the poem had not been evaluated, and that Tahir was reading it without the permission of the commission.

But one of the members of the commission itself, Lal Pacha Azmon, confirmed Tahir Safi’s saying that the poem had been evaluated by the Commission and authorized to be read out in the event.

Atta Mohammad Helamand, one of the poets who attended the poetry festival and was supposed to read his poem in the event, also says that Safi’s poem reading had been approved by the Commission. He added “the treatment Tahir Safi received is an obvious violation of the freedom of thought and expression guaranteed by the constitution”.

Rahimullah Samandar, director of the Afghanistan Independent Journalists Association, also called the action of the governmental authorities a breach to freedom of expression and an obvious offence to the Afghan constitution.

According to people previously participating in such poetry festivals, it is the first time a poet is seen to be threatened by governmental authorities and prevented from reading without a valid reason in a festival.

3: Radio Sada-e-Haqiqat in trouble with the governmental authority:

Radio Sada-e-Haqiqat, located in Samangan province, was officially inaugurated on the 31st of December, 2005 and set up with technical and financial support from the Danish Embassy, Internews and Nai.

This radio faced problems with the governor of Samangan in the beginning of April. Shamsullah, one of the journalists of the radio, described the problem in the following way: “There were five fellowships offered by the India government for the school students of Samangan province, but the governor Abdul Haq Shafaq had given all these scholarships to his relatives and personal friends, and no one had ever heard about them. When we were informed of the issue, Shamsullah added, we organized a roundtable in our studio with the participation of a few members of the Samangan provincial council. Abdul Haq Shafaq, the Governor of Samangan, was also invited to answer questions related to the issue, but he did not attend the roundtable. He later called me to his office and said I did not have the authority to report on this issue and make people conscious of it.” According to Shamsullah, the

governor then threatened him and said: "I have brought this radio station to Samangan province and I have paid money for its establishment, and now it becomes a problem for me."

In response to the claims of Radio Sada-e-Haqiqat, Abdul Haq Shafaq, the Governor of Samangan, in a phone interview with Media Watch, denied the scholarships story and said that 68 scholarships from India were allocated to Northern provinces through an open competition. 12th grade graduates from Northern provinces competed for the fellowships in Balkh University on March 16th, 2006, but no one from Samangan province passed the exam. Regarding the alleged threats to the radio journalists, he said: "I have strived to establish this radio station and from the start I was interested see its development. I would never do anything that would harm the activities of this radio."

According to Abdul Haq Shafaq, it is the radio journalists' words which troubled the relationships between the station and the governor: according to him, Shamsullah would have told him that "The policy of [our] radio, as an independent radio station, is to be in conflict with the governor." But Shamsullah objects: "I told the Governor that if our radio does not follow up important issues like this one, other radios will report on them and as a result, Sada-e-Haqiqat will be perceived as not fulfilling its duties well, and this will affect the flow of donor support."

It seems that the troubles of Radio Sada-e-Haqiqat were a simple misunderstanding which Media Watch helped clear by discussing the issue with both the station and the governor. As the governor Abdul Haq Shafaq says, he has now no problem with Radio Sada-e-Haqiqat. Aminullah Qayoomi, Sada-e-Haqiqat Radio manager, shares this view: "as we came to understand the reality, we have no problem with the Governor any more."

4. Publication of Weekly Watandaar stopped after a conflict with Younis Qaanooni, Chairman of the National Assembly

The publication in the weekly newspaper Watandaar (issue no 82, dated 2/4/2006) of an article entitled "Embezzlement of 25 Million Dollars by Younis Qaanooni" resulted in a conflict between Younis Qaanooni, Chairman of the National Assembly, and the management of Watandaar weekly.

According to one of the employees of the weekly, in the following issue, the management of Watandaar apologized for the publication of the article which was quoted from Kabul Press and Qest News Agency. Since then, Watandaar stopped being published.

During a National Assembly session, Mohammad Younis Qaanooni talked about the closure of the weekly by the Office of the President. Fazlul Haq Faayez, an employee of Watandaar Weekly, explains: "The President Office officials told us not to publish the weekly until the proposed cabinet of the president would be presented and approved in Parliament; so we stopped the publication of the weekly."

But Karim Rahimi, the spokesman of the president, denied the existence of limitations imposed to Watandaar Weekly by the President's Office. Similarly, Seyamak Heravi, founder of Watandaar Weekly and deputy spokesman of the President, also rejects the allegation of pressures by government agencies on the weekly and explains the delays in the publication of the weekly with financial arguments. "Whenever we will have the financial ability to print the weekly, we will do so".

In the last four years, over 300 publications have come into existence in Afghanistan; two of them (the weekly Aaftaab and the government daily Aarman-e-Milli) have been prohibited by the government. Aaftaab Weekly is now published in Canada, while the new Daily Aarman-e-Milli is a privately run newspaper published daily.

5. Afghanistan has a new Media Law:

The Mass Media Law has been officially gazetted and its 9 chapter and 42 articles are now effective. This Law was drafted based on the 34th article of the Afghanistan constitution and the 19th article of the Human rights International declaration, to regulate the activities of Media outlets and ensure the right to freedom of thought and expression. The Law was approved on the 18th of December 2005, by the council of ministers headed by the President of Afghanistan, and was published on the 5th of January, 2006 in Kabul. It has been available in the official Gazette Sales Section of the Ministry of Justice since early March 2006.

The new Media Law has undergone changes in its content and format, the wording has been refined, and new articles were added while other articles were removed from the previous law. For instance, while in the previous Media Law, Article 3 Part II states that publications with a circulation under 200 copies do not have to be registered with the Ministry of Information, Culture and Tourism, in the new Media Law, the article has been removed. Rahimullah Samandar, the director of AIJA (Afghanistan independent Journalists Association), comments: “the Law which became effective recently will have a positive impact on freedom of speech; after having revised its Media Law three times, Afghanistan now has the best law in the region.”

The most important element of the new Media Law is the formation of three new commissions, and the change of names of the commissions described in the previous law.

Under the previous law, two bodies were in charge of regulating media agencies: the Independent Commission for Broadcast Media and the Media Commission for Investigating Media Related Offences. The new law now introduces five commissions as follow:

1. The Media High Council
2. The Private and Personal Media Commission
3. The National Radio-TV Afghanistan Commission
4. The Bakhtar Information Agency Commission
5. The Commission on Media Complaints and Violations

The membership criteria and the jurisdiction of these commissions have also been defined in the new law.

This new law comes as Afghanistan’s third Mass Media Law in four years. The first Media Law was codified and issued on the 9th of March 2002 and the second was issued on the 4th of April 2004. Some media analysts and media professionals (Ahmad Zia Rafhat, Writer and Poet, Ahmad Shah Afghanzai, Director of Afghan TV, Hamid Noori, Director of the National Journalists Association, and others) have questioned the successive changes to the Media Law, saying that they discredit its validity.

In a National Assembly meeting, Alleme Balkhe, a parliamentarian from Balkh province, said: “The Minister of Information, Culture and Tourism, Saeed Makhdom Raheen, adopts and changes the Law as he sees fit”. But Saeed Makhdom Raheen, now temporarily acting Minister of Information Culture and Tourism, considers that the continual changes to the law are simply a result of the rapid development of mass media in Afghanistan. According to him, new developments prompt the Ministry of Information, Culture and Tourism to pay more attention to the Mass Media Law and make positive changes to it if needed.

Worth mentioning is the fact that according to the constitution of the country, all laws must go to the National Assembly for approval. But none of the country’s laws have yet been presented to Parliament for approval.

6. A commission for long-term development strategy established for Afghanistan Media:

The Independent High Commission of Information and Communication for Afghanistan met in Paris from the 9th to the 18th of March 2006 to start designing a long-term development strategy for media organizations in Afghanistan. Fifteen Afghan and international media professionals attended the meeting, which was facilitated by UNESCO with financial support from Japan.

Rahimullah Samandar, the director of the Afghanistan Independent Journalists Association, and one of the participants of the meeting, told Media Watch: “the members were appointed a few months ago following the proposition of the Minister of Information, Culture and Tourism and the Minister of Foreign Affairs and with the approval of the President of Afghanistan. During the meeting, the commission discussed media priorities and the needs for access to information; women’s participation in media; the situation of the broadcast and print media; the needs of the media, and some other issues”. Samandar added: “During this meeting Moosa Maroofoi was appointed unanimously as the director of the commission; Safiqa Habibi as the deputy director and three other members, Amin Tarzi, Dr, Zahir Sediq and myself were appointed as secretaries”.

According to Samandar this commission will hold regular meetings in Kabul every Sunday at 4:00pm for the next four months. After four months, the commission will produce a detailed report outlining the needs of the media sector and presenting mechanisms for the strategic development of Afghan media. The report will be submitted to the president of Afghanistan.

The set up and the work of this commission should bring positive results for Media outlets, if only because the duty of its professional working group is to provide needed information and statistics, as well as an analysis of and possible solutions to the problems the Afghan Media faces.

7. Khost Province has its first ever daily newspaper: Breshna

Feeling the need for a daily newspaper, Haji Mir Ali launched Khost’s first daily newspaper on February 17, 2006. The four-page independent daily publishes local and international news, as well as sports, literature, commercial announcements and articles sent in by readers. Haji Mir Ali, chief editor of Breshna, told Media Watch: “earlier, there were newspapers and magazines published in Khost, but there was no daily newspaper.” He added: “I am

personally investing to promote the culture of reading among the residents of Khost by launching this daily.”

Currently, Breshna distributes daily about 1,000 issues in Khost city and other nearby districts. According to the editor, there are plans to distribute the daily in all districts of Khost province and even neighboring provinces. Noor Shah Noorani, a poet and writer living in Khost province, comments: “besides providing information to the people on the latest events, this daily is entertaining and encourages people of the region to buy daily newspapers, magazines and books”. According to Noorani, most of the newspapers copies are distributed for free.

In Khost today, Islam Ghag (weekly), Torghar (bi-monthly) and the monthly magazine of the Women affairs Department are the only regular publications besides Breshna.

According to Saeed Makhdoom Raheen, Acting Minister of Information, Culture & Tourism, over 300 print media are currently operating in Afghanistan.

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