



*Nai - Supporting Afghanistan Open Media*

**Media Watch Report  
Afghan Journalism Freedom Report #18**

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Freedom of expression is enshrined in the Constitution and a relatively new concept in the country. Consequently, various authorities appear to believe that the environment for expression today is similar, and should be similar, to the periods of authoritarian rule in the past – in other words, limited and uncritical of the government. Coupled with the current fighting and lack of security, Afghan journalists continue to face challenging and even dangerous working conditions.

In this issue, Media Watch investigates the following:

- Journalists boycott coverage of Parliament for seven days
- Afghan Interior Ministry and Pakistani government ban Tolo TV
- Satirist Dr. Khalil Narmgoi detained for 10 days
- Energy and Water Minister demands dismissal of Ariana TV reporter
- Government issues demand that independent media call war dead “martyrs”
- RTA reporter beaten up by Kabul Airport security officials
- Two Pakistani journalists freed from Taliban captivity in Helmand
- Bamiyan lacks media outlets
- Afghan media representatives attend ninth annual public radio summit in Jordan

- Ariana Radio launches international broadcast
- Laghman National TV begins trial programming
- First radio station in Uruzgan launched

### **Journalists boycott coverage of Parliament for seven days**

Reporters announced a boycott of Parliament in a Nov. 14 press conference organized by the Afghanistan Free Journalists Union. The boycott was declared after legislators expelled all journalists the previous day from the chamber for a closed session. The boycott was initiated by journalist Ghaws Zalmai and backed by the Afghanistan Free Journalists Union.

“After the boycott was announced, it appeared that Parliament took notice,” said Afghanistan Free Journalists Union president Rahimullah Samandar. “A week later, Yunus Qanooni, the chairman of the Lower House, invited all the journalist unions for a meeting wherein he accepted reporters' recommendations.”

The recommendations included: appointing a parliamentary spokesman for media; creating a code of conduct for Parliament in order to allow journalists to better cover proceedings; and strengthening coordination between reporters and chairmanship of the Parliament.

The Nov.13 session of Parliament centered on government structures, but lawmakers delayed the planned discussion and instead debated their salaries, at which point the session was declared closed to the public and reporters were told to leave.

National Union of Journalists President Sayyid Hussain Fazel Sancharaki opposed the boycott.

“A boycott deprives the public of information about parliament and reporters shouldn't do that,” he said. “Likewise, Parliament should strive to resolve these issues and should not ban reporters.”

Sancharaki added: “The behavior of some legislators towards journalists is commendable, and other legislators should act as representatives of the people.”

Meanwhile, Minister of Culture and Youth Affairs Abdul Karim Khuram was summoned to appear before the religious and cultural affairs commission of Parliament. He told Tolo TV that the country's media law was being debated by the commission.

“As we practice freedom of speech, our interaction with journalists should be within the framework of the law and respectful,” he told Tolo TV. “Journalists should also leave the session if the session is declared closed. According to the law, Parliament has the right to hold closed sessions.”

There have been several altercations between reporters and legislators. Previously, Lower House representative Jamil Karzai, who is a member of national security and border control commission, called RTA reporter Arif Azizi a “devil.”

“You are devils because you broadcast wrong information,” Karzai was quoted as saying to journalists.

Karzai reportedly blocked Azizi from an Oct. 15 meeting of lawmakers and ISAF representatives, and accused him of lying. The following day, Karzai apologized to the media for his comments.

In another incident, Ghazni MP Khiyal Mohammad Hussaini beat Tolo TV cameraman Omid Yakmanish as he was filming the physical conflict that broke out between lawmakers over Malalai Joya’s speech about mujahideen leaders on May 7.

Lawmakers and senior government officials have a limited awareness and understanding of freedom of the press. Legislator Hajji Mohammad Muhaqeq, who chairs the religious and cultural affairs commission that has been reviewing the Media Law, called journalists unprofessional and amateur. He criticized broadcast of footage in which lawmakers are shown sleeping in their seats during official sessions. The images, which are also aired on satirical programs, are indecent, he said.

### **Afghan Interior Ministry and Pakistani government ban Tolo TV**

The Ministry of Interior reportedly prohibited all its employees from speaking to Tolo TV reporters, according to a story aired on the channel's *6:30 Report* on Dec.1. The *6:30 Report* is an investigative program that examines current affairs issues each week. The ban also included Lemar TV and Radio Arman, which are part of Moby Capital, the parent company that also owns Tolo.

The ban was widely criticized by journalism unions and media outlets. The right to access to information is enshrined in the Constitution, and the ministry acted unlawfully by blocking the media’s access to information.

Afghanistan Journalists Union interim president Sayyid Hussain Fazel Sancharaki called the ministry's move unconstitutional and urged the ministry to retract the ban.

Interior spokesman Zemarai Basherri denied the allegations made on Tolo.

“We have not boycotted Tolo TV,” he said. “We haven’t boycotted any media agency. The Interior Ministry is just barring junior officials from giving exclusive interviews with media without the permission of senior officials. Exclusive interviews are allowed only if the minister permits them. We want to maintain stability in the Interior Ministry.”

But Tolo TV Executive Director Mohammad Sediq Ahmadzada told Media Watch that relations with the ministry were poor.

“Relations between the Interior Ministry and Tolo, Lemar and Radio Arman have been cut off for the past one and a half months. Basherri said in a press conference that the ministry would not cooperate with these outlets. The reason behind the ban was a broadcast of a report about Zarar Ahmad Muqbil, the interior minister. The report noted that the streets of Kabul are closed to traffic when Muqbil’s convoy travels, which creates problems for residents.

“After the broadcast of the *6.30 Report*, the Ministry contacted Tolo TV, and hopefully the ban will be lifted,” Ahmadzada added.

According to media affairs experts, the Interior Ministry, with this temporary ban, prevented its achievements and activities from being publicized.

Meanwhile, the Pakistani government has prohibited satellite and cable broadcast of Tolo TV in Peshawar and Quetta, which are host to thousands of Pashto-speaking Afghans. The Pakistani government had once before issued a ban, which appears not to have been enforced.

“This ban by the Pakistan government is against the Universal Declaration of Human Rights and international regulations and should be withdrawn,” said legal expert Nasrullah Estanekzai.

Viewers in Afghanistan have access to PTV (Pakistan Television) and Khybar Network, which broadcasts in Pashto.

### **Satire writer detained for 10 days**

Dr. Khalil Narmgoi, a satire writer and former chairman of Baghlan Department of Health, was jailed on Oct. 29 for a piece published in *Payam-e-Mujahid Weekly* entitled,

“Who is the president - Hamid Karzai or Farooq Wardak?” He was detained by the Office of the Attorney General.

Dr. Narmgoi’s writing criticized the influence of President Karzai’s advisers. In one example, Narmgoi wrote: “Are the appointed ministers the real heads of the ministries or the Farooqs and Luddins?”

Farooqs is a reference to Farooq Wardak, the government minister for parliamentary affairs and the head of the Presidents Office of the Chief of Staff. Jawid Luddin is the director of the Office of the President.

In his article, Dr. Narmgoi claimed that Wardak has too much authority and is influential in appointing and firing senior government officials, including ministers. Dr. Narmgoi also called the former king Nader Shah and his then-interior minister Mohammad Gul Mohammand “oppressors of their time,” which raised some concern among Pashtuns.

Dr. Narmgoi apologized on Nov. 2, but orders for his release were not issued until Nov.7.

Halim Samadi, director of investigations in the Office of the Attorney General said a complaint was issued against Nargmoi by Wardak.

“Dr. Narmgoi stirred ethnic conflict in his article. He invoked the Farooqs and Luddins, and he claimed that he was fired from his job by Farooq Wardak. When the case came to us and Wardak filed a complaint, the Attorney General's Office sent the case to the Commission on Media Violations as per Article 32 of the media law.

“The Commission on Media Violations wrote the prosecution office that if Mr. Narmgoi has evidence that he was fired by Mr. Farooq Wardak, then he is innocent and should not be sued, otherwise he can be sued,” Samadi added.

Attorney General's spokesman Abdul Rab Chambili speaking on Tolo TV said that Dr. Narmgoi was arrested based on an official complaint filed by Wardak.

“During the course of the investigation, Dr. Narmgoi was unable to prove that he was fired because of Mr. Wardak,” Samadi said. “The prosecutors asked Minister of Health Amin Fatemi to clarify the issue and Mr. Fatemi took responsibility for firing Dr. Narmgoi. Therefore, according to the Article 7 of the domestic and foreign crimes law, a person or an organization that fuels ethnic conflict has committed a crime.”

National Union of Journalists President Sayyid Hussain Fazel Sancharaki said that Wardak should have filed his complaint with the Commission on Media Violations,

which is then responsible for referring cases to the Office of the Attorney General. Instead, Wardak directly referred to the Attorney General's Office.

Abdul Hafiz Mansour, the chief editor of *Payam-e-Mujahid Weekly*, claims that Wardak had asked that his publication also be sued. However, the Commission on Media Violations stated that only Dr. Narmgoi was responsible for the article.

Following his release in a phone interview with Media Watch, Dr. Narmgoi said he would not apologize to Wardak.

“I was arrested by police from Pul-e-Khumri and brought to Kabul,” he said. “I was asked to apologize to Farooq Wardak, but I refused because my article did not violate Article 34 of the Constitution. I apologize to the Wardak and Luddin tribes, but I will not apologize to Farooq Wardak because I am a doctor and I belong to every tribe and ethnicity. I hadn’t been indecent to the Wardak and Luddin tribes in my article. I was just criticizing Mr. Farooq Wardak.”

This is not the first case of government officials using their authority to press for the arrest of journalists. Media Watch has highlighted the case of Radio Solh reporter Abdul Qudoos, who was imprisoned for more than 10 months based on accusations leveled at him by a legislator. (Abdul Qudoos was finally released in December. See Media Watch 19 for more details.)

Media Watch urges international foundations and journalists defense unions and the Afghan government to prevent unlawful actions against journalists and to enforce existing laws that protect journalists.

### **Energy and Water Minister demands dismissal of Ariana TV producer**

Minister of Water and Energy Ismail Khan demanded the dismissal of Ariana TV producer Nasir Fayaz following the Nov. 1 broadcast of a report in which his ministry was criticized for not providing sufficient public services.

Khan wrote an official letter of complaint to the TV channel, in which he asked for dismissal of Fayaz. Khan also asked the Attorney General's Office to investigate and prosecute Fayaz, claiming that lies were broadcast. The report aired on Fayaz's program, *the Truth*.

Speaking to Media Watch, Fayaz described the contents of his program.

“The purpose of the episode was to cover the achievements of the Ministry of Energy and Water,” Fayaz said. “I interviewed the former minister of energy and water and talked about the responsibilities of the ministry. The show also talked about the purchase of diesel generators to provide electricity, which didn’t really pay off. The report disturbed Ismail Khan, and therefore he had sent a letter to Ehsanullah Bayat asking for my dismissal.

“The Energy and Water Minister didn’t stop there. He officially appealed to the Attorney General's Office and I was threatened in different ways. Mr. Khuram, the minister of Culture and Youth Affairs, who was invited to Rahim Shah’s concert on the third day of the Eid Festival, backed Ismail Khan, claiming that I had asked for 24 hour-electricity. When my alleged demand was rejected by the Ministry of Energy and Water, I then supposedly organized the show as payback.

“I consider Khuram's allegations against the law and I count it as a dishonor to my reputation,” Fayaz added.

Fayaz said he was summoned by Attorney General's Office and that an initial investigation was completed. He was not summoned again, he added. Despite repeated attempts, Media Watch could not reach Ismail Khan for an interview.

Media Watch believes this case highlights how some government officials seek to block reporters from broadcasting criticisms. One of the essential duties of reporters and media agencies is to report on the government’s workings and to hold officials accountable. Otherwise, the truth will remain masked.

### **Government issues demand that independent media call war dead “martyrs”**

Government officials urged independent media outlets to refer to soldiers who die in battle as “martyrs.” The demand was made following an Oct. 29 cabinet meeting announcement by presidential spokesman Karim Rahimi and confirmed in an official letter from the Ministry of Culture and Youth Affairs.

“Those who die in the war for the freedom of the country are martyrs and the independent media should refer to them as martyr,” Rahimi said.

Sadeq Mudaber, deputy director of the Office of the Chief of Staff, said independent media outlets should take into account “national interest.”

“The cabinet criticized some media agencies for interviewing enemies of the government,” Mudaber said. “The media does not reflect the achievements of the

government. ANA soldiers who die are called “dead,” while they are martyrs. Although the Media Law guarantees freedom of press, the national interests of the country should be a priority above anything else.”

After the administration's announcement, the Ministry of Culture and Youth Affairs issued a letter to several independent media agencies to consider the government's view in their day-to-day reporting. The letter which issued to media outlets on Nov.14 by the Ministry of Culture and Youth Affairs states: “Any Afghan who works within the security forces in the country and dies, they should be called martyrs because martyrs have a special dignity in the religion of Islam.”

Peshro Weekly Editor Dad Noorani said he is against the terminology of martyr. He described the government's demand as “oppressive.”

“The government doesn’t have the right to impose words on the media and order them what word to use,” he said. “Regarding this issue, I think this has a religious aspect wherein religious scholars should decide on whether ANA soldiers are 'martyrs.’”

Media Watch believes that imposing specific word or phrases damages the media's impartiality and violates journalism ethics. Reporters should abstain from using charged or emotional words such as 'martyr' in their reporting. The administration ignores this fact. Furthermore, media agencies have to contact government opponents in order to maintain a balance in their report.

During the U.S. war on Iraq, Western media outlets reported the views of the Saddam Hussein government, and the U.S. government never stated that this was against its national interests.

Two things are clearly described in the Constitution and press law, which are the freedom of speech and the right to obtain information. The government's demand to call war dead martyrs is a threat on both fronts. If opponents believe independent media works in the service of the government, they will block access to information and likely threaten journalists. The Taliban previously threatened to kill journalists who prepared war reports based on information provided by Nato and Coalition forces. Furthermore, imposing a specific word or phrase on the media, violates freedom of the press.

### **RTA reporter beaten up by Kabul Airport security officials**

RTA reporter Famarz Sina was beaten up by the security officers while covering a Ministry of Foreign Affairs press conference held at the Kabul Airport on Oct. 17.

“It is a pity that the security officials behave like this with a reporter,” Sina said. “One of them tied my hands to my back and the other started beating on my chest. Other reporters witnessed the attack.”

But a Ministry of Interior official said Sina declined to give details about the incident.

“RTA and the Interior Ministry have close relationship,” said ministry spokesman Zemarai Bashiri. “I personally asked Faramarz Sina about the incident, but he refused to give details. I think he actually broke the law and that’s why he doesn’t want to make it a case.”

Sina denies the claim.

“I didn’t break the law,” he said. “They wanted me to leave the area, but I asked them for their badges to make sure they’re security officials. Because of that, Mohammad Ashraf, a security official, got mad and began beating me. Afterwards, his colleagues also beat me up. I didn’t want to pursue the issue because this is a daily occurrence for journalists, but no one has been punished yet.”

In its Oct. 17 news broadcast, RTA condemned the action by airport security authorities and demanded reparations.

Similar cases in the past involving media workers and security officials have not been investigated by the appropriate authorities, according to Media Watch examination of past cases. In September 2006, for example, Voice of Paktia reporter Obaidullah Sarawzawal was beaten up by ANA soldiers without reason. Ministry of Defense spokesman Gen. Zaher Azimi vehemently denied that ANA soldiers misbehaved (see Media Watch Report 16).

Media Watch condemns attacks by security forces on media workers and urges greater understanding on the part of security forces on the rights of media workers.

### **Two Pakistani journalists freed from Taliban captivity in Helmand**

Two Pakistani journalists Qamar Yosufzai and Salim Shahzad, working for the Star, an English-language daily, were released from captivity on Nov. 26. The pair was taken hostage by the Taliban in Helmand two weeks earlier.

“The reporters were staying in Bagharan district as guests and were released,” said Dr. Hanif, a Taliban spokesman.

The released reporters did not speak to the media after returning to Pakistan.

According to officials in the registration department of the Foreign Affairs Ministry, the Pakistani journalists were not registered as foreign journalists working the country.

### **Bamiyan lacks media outlets**

Bamiyan has just one independent media outlet, Radio Bamiyan. A government publication, *Simai Bamiyan*, stopped publication seven months before and television networks are not available in the province. Residents say they tune to international radio broadcasters for their news.

Mohammad Reza Danish, who heads an NGO named Bahar-e Sazendagi, said Bamiyan used to boast several publications, including *Taban*, *Baztan* and a Bamiyan University paper. All collapsed due to a lack of advertising and donor contribution from the government and the local Provincial Reconstruction Team.

According to Danish, journalists and others have raised the issue of the lack of press to the governor and PRT without any positive result.

Bamiyan Gov. Habiba Surabi, rejected the criticism, saying that the Bamiyan authorities licensed anyone wanting to open a publication. Surabi added that she is unsure as to why the PRT is not assisting local media. PRT officials declined to talk to Media Watch.

Radio Bamiyan is an independent station broadcasting 14 hours daily. However, its reach beyond the provincial capital is limited.

“Our radio is FM wave and covers a very limited area,” said Radio Bamiyan Manager Ali Irfan. He added that efforts are underway to extend the coverage of the station.

### **Afghan media representatives attend ninth annual public radio summit**

More than 500 heads of the public radio participated in the ninth annual summit for International Organization for Community Radio in Jordan (AMARC). Afghan media representation included Nai Executive Director, Abdul Mujeeb Khelwatgar, Radio Sahar Manager Omaira Habib, who represented women-run radio stations, Herat’s Voice of Afghan Youth Radio President, Professor Hazin and Afghanistan Independent Radio Association representative Rozbeh Behroz.

“Summit participants, who came from more than 110 countries, talked about the production of programs and how to improve the quality of their programs to meet international standards,” Khalvatgar said. “On the side, views were exchanged about the information technology and the Internet.”

The Afghan participants applied for official membership to AMARC. AMARC is based in Toronto, Canada and was established in the 1970s with the aim of improving public radio globally.

### **Ariana Radio launches international broadcast**

Radio Ariana will be available globally via satellite by end of November, according to Ariana TV and radio owner Hajji Ehsanullah Bayat. The radio is currently heard in Afghanistan and Asian countries via satellite.

Radio Ariana director Zubair Nasri said the station also will be available via Internet by the end of February 2007.

On the other hand Provincial General Director of Radio Television of Afghanistan (RTA) Amanullah Khalilyar said to the press that RTA launched international broadcast to Asian countries with the support of the Indian government.

RTA is governmental Radio and Television of Islamic Republic of Afghanistan.

### **RTA Laghman launches broadcast**

RTA Laghman is on air. The station is broadcasting via a 100-megawatt transmitter established by the government. The station, which began its trial run in November, covers up to 30 kilometers around the provincial capital of Mehterlam. RTA Laghman was founded more than a decade ago, but the station deteriorated and stopped broadcast during the wars.

“Laghman RTA programs air two hours every night from 7 to 9 p.m. with programming produced in Kabul,” said RTA provincial television director Amanullah Khalilyar. “It is planned that in near future after building studios, the station will produce local programs.”

RTA Laghman chairman Abdul Ahmad Berya confirmed in an interview with Pajhwak Afghan News Agency that station will expand by one hour of local programming in the near future. Berya added that the station still lacks professional technical equipment.

RTA Laghman presenter Zainuddin Haqyar said he hope that the station would be successful; however, the station did not have professional technicians, while technical problems occur frequently, he stated.

### **First radio station in Uruzgan launched**

A radio station has been set up for the first in Uruzgan province following a USAID donation of an FM transmitter to RTA. The station began broadcasting Nov. 29 from the provincial capital of Tirin Kot.

Radio Uruzgan covers Tirin Kot and an area 40 kilometers around the city, according to Qayum Qayumi, a gubernatorial spokesman. The station airs six hours of programming daily.

Qayumi criticized the Ministry of Culture and Youth Affairs for being inattentive to the need for media in Uruzgan. The ministry's provincial department head Hamidullah also complained about a lack of technical equipment for the station, and asked that the ministry provide more assistance. The other only media that exists in Uruzgan is a monthly publication called *Uruzgan*.

The southern province is considered one of the most volatile provinces of the country. U.S Special Forces and armed government opponents are active in the province.

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*“This newsletter was made possible through support provided by the office of the United States Agency for International Development through Counterpart International Inc, under the terms of award No. 306-A-00-05-00511-00.*

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