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Freedom of the Press 2012 - Afghanistan

The media landscape in Afghanistan, although increasingly open and robust, continues to feature censorship, biased content, violence and insecurity, and little protection for journalists. Article 34 of the constitution allows for freedom of the press and of expression, and a revised 2005 Mass Media Law guarantees the right of citizens to obtain information and prohibits censorship. However, there are broad restrictions on any content that is seen as “contrary to the principles of Islam or offensive to other religions and sects.” Four media laws have been approved since 2002, and many journalists are unsure as to which applies in different circumstances, leading to self-censorship to avoid violating cultural norms or offending local sensitivities. Article 130 of the constitution stipulates that courts and Islamic jurists can rule on cases “in a way that attains justice in the best manner,” allowing for ambiguity and discriminatory rulings. In January 2011, radio station director Hojtallah Mujadadi was acquitted after a two-day trial, having been arrested in September 2010 for alleged links to insurgent groups in Kapisa Province. Under Afghan law, cases involving journalists should be handled by the Media Commission, but this rule is not always observed in practice. The Afghanistan Media Defense Lawyers Committee (AMDLC) was established in September 2011 to address the mishandling of media prosecutions and to advocate for greater freedom of expression and information.

Afghanistan has yet to pass a freedom of information bill. In 2010, local media and civil society organizations urged the government to consider such a law, which would ensure the right to access public information and provide a functional mechanism for obtaining it. However, the call was largely ignored by the government.

The political environment remains hostile for the media, with religious organizations exerting particular pressure. In June 2011, the politically influential Council of Religious Scholars denounced two media outlets, Tolo TV and the *Hasht-e-Subh Daily* newspaper, for being immoral and inciting “animosity against Islam.” Neither outlet had been shut down by year’s end. In March 2010, the National Directorate of Security (NDS), an Afghan intelligence agency, told the media not to report live from the sites of terrorist attacks, a move that drew criticism from journalists. Media access to these sites has not been uniform, and in some cases journalists have faced violence. Also in March 2010, the Ministry of Information and Culture (MIC) and the Afghan journalist community agreed to protocols for the media and state agencies regarding the coverage of terrorist attacks. The MIC also threatened to revoke the licenses of media groups that aired “negative programming,” but this policy did not appear to be in effect at the end of 2011.

The ongoing military conflict has entailed serious threats against journalists from various state and nonstate actors, and physical security remains an issue of great concern. Two journalists were killed in Afghanistan in 2011, according to statistics compiled by the Committee to Protect Journalists (CPJ). In July, international forces accidentally killed Ahmad Omid Khpalwak, a reporter for the British Broadcasting Corporation (BBC) Pashto service, after mistaking him for an insurgent while he was investigating an attack in Uruzgan Province. In September, Farhad Taqaddosi, a camera operator for Iran’s Press TV, was caught in crossfire during a Taliban insurgent attack in central Kabul. He died several days later. According to CPJ, the low rate of press fatalities relative to rises in the overall level of violence may be due in part to journalists traveling with the

military more often, and to their increased caution about what they choose to cover. In addition to targeted killings and kidnappings, journalists face other dangers associated with reporting in a war zone. In February, three reporters—Syed Abdullah Nezami from Al-Jazeera, and Sadullah Sahil and Zabihullah from Afghan TV News Service—were arrested briefly for allegedly not carrying press cards at the site of a NATO airstrike. In another incident, a reporter for the radio stations Pazhwak and Isteqlal FM was arrested for reporting from an international coalition base under rocket attack. In July, two reporters were beaten by suspected members of the Taliban for reporting on a suicide attack in Paktia Province. Another journalist in Paktia was beaten in September by state officials in response to his reporting. In October, the president of Radio Zohra, a station in Kunduz Province dedicated to women's issues, was threatened for her work on women's rights. In a positive development in June, two French journalists and their Afghan translator and driver, who had been kidnapped in December 2009, were released.

At the end of 2011 there were 75 private television channels, 175 radio stations, and about 500 newspapers operating in the country. The government owns some media outlets, but most are in private hands. The media landscape reflects the disparate political and cultural beliefs across the country. Major sources of funds for the media include political parties, ethnic groups, the military, international donors, and foreign governments such as those in Iran and Pakistan, all of which are seeking influence in the country. Private broadcast outlets, particularly those that are commercially viable, such as Tolo TV, exercise the greatest amount of independence in their reporting. Low literacy rates and fragmented geography mean that different pockets of the population receive information from varying media sources. International radio broadcasts in Dari or Pashto—such as those from the BBC, Voice of America, and Radio Free Europe/Radio Liberty—remain key sources for many Afghans. Despite high levels of government and self-imposed censorship, international and local media organizations have for the past decade been promoting training programs aimed at developing a genuinely independent media sector. In 2011, analysts claimed that the country's independent media were growing and active in their pursuit of diverse political views.

Illiteracy and infrastructural obstacles have hampered internet penetration, with 5 percent of the population regularly accessing the medium in 2011. Though Afghan blogs and websites are not numerous or greatly developed, the government still imposes online censorship. The Ministry of Communications has blacklisted websites deemed to promote vices such as alcohol, gambling, pornography, and improper social relationships, though it has at times put pressure on news sites as well.

2012 Scores

Press Status

Not Free

Press Freedom Score

74

Legal Environment

22

Political Environment

32

Economic Environment

20

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